S. HRG. 100-493, PT. 4

NATO DEFENSE AND THE INF TREATY

HEARINGS AND MEETINGS

BEFORE THE

COMMITTEE ON ARMED SERVICES
UNITED STATES SENATE

ONE HUNDREDTH CONGRESS

SECOND SESSION

FEBRUARY 17, 18, 22, AND 23, 1988

PART 4

Printed for the use of the Committee on Armed Services

U.S. GOVERNMENT PRINTING OFFICE
83-529 WASHINGTON : 1988

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, DC 20402

S201-16

COMMITTEE ON ARMED SERVICES

SAM NUNN, Georgia, *Chairman*

JOHN C. STENNIS, Mississippi
J. JAMES EXON, Nebraska
CARL LEVIN, Michigan
EDWARD M. KENNEDY, Massachusetts
JEFF BINGAMAN, New Mexico
ALAN J. DIXON, Illinois
JOHN GLENN, Ohio
ALBERT GORE, Jr., Tennessee
TIMOTHY E. WIRTH, Colorado
RICHARD C. SHELBY, Alabama

JOHN W. WARNER, Virginia
STROM THURMOND, South Carolina
GORDON J. HUMPHREY, New Hampshire
WILLIAM S. COHEN, Maine
DAN QUAYLE, Indiana
PETE WILSON, California
PHIL GRAMM, Texas
STEVEN D. SYMMS, Idaho
JOHN McCAIN, Arizona

Arnold L. Punaro, *Staff Director*
Carl M. Smith, *Staff Director for the Minority*
Jeffrey H. Smith, *General Counsel*
Christine Cowart Dauth, *Chief Clerk*

CONTENTS

CHRONOLOGICAL LIST OF GUESTS AND WITNESSES

EUROPEAN PERSPECTIVES ON NATO'S SECURITY POSTURE

FEBRUARY 17, 1988

Page

Van Eekelen, Dr. Willem, Minister of Defense, Kingdom of The Netherlands, accompanied by J.H. Van Der Ploeg, Director of Information, Ministry of Defense, The Netherlands; and Hon. Richard Hendrik Fein, Ambassador to the United States, The Netherlands 2

CONVENTIONAL ARMS CONTROL

FEBRUARY 17, 1988

Kaiser, Karl, Director, Research Institute, German Council on Foreign Relations, Bonn, and professor of politics, University of Cologne 29

Blackwill, Robert D., lecturer in public policy, John F. Kennedy School of Government, Harvard University 49

Karber, Phillip A., BDM Corp., vice president and general manager for national security programs 64

CONVENTIONAL ARMS CONTROL

FEBRUARY 18, 1988

Thomson, Dr. James A., vice president, the Rand Corp 106

Thomas, Charles H., Principal Deputy Assistant Secretary of State for European and Canadian Affairs, and U.S. Representative to NATO's High Level Task Force on Conventional Arms Control 125

INF TREATY

FEBRUARY 22, 1988

Glitman, Hon. Maynard G., chief negotiator, Intermediate-Range Nuclear Force (INF) Treaty 339

INF TREATY

FEBRUARY 23, 1988

Glitman, Hon. Maynard G., chief negotiator, Intermediate-Range Nuclear Force (INF) Treaty—resumed 430

NATO DEFENSE AND THE INF TREATY

WEDNESDAY, FEBRUARY 17, 1988

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

EUROPEAN PERSPECTIVES ON NATO'S SECURITY POSTURE

[This meeting was conducted in executive session and certain sensitive information was deleted prior to printing.]

The committee met in executive session, pursuant to notice, at 9:36 a.m., in room S-126, the Capitol, Senator Sam Nunn (chairman) presiding.

Present: Senators Nunn, Exon, Levin, Kennedy, Warner, Thurmond, Cohen, Quayle, Wilson, Symms, and McCain.

Staff present: Arnold L. Punaro, staff director; and Jeffrey H. Smith, general counsel; Robert F. Bott, Judith A. Freedman, Sherri Wasserman Goodman, George K. Johnson, Jr., James R. Locher III, and T. Kirk McConnell, professional staff members; Barbara B. Brown, Lori M. Jackson, and Debra A. Rice, staff assistants.

Also present: Jeffrey B. Subko, assistant to Senator Exon; William Lynn, assistant to Senator Kennedy; Terrence Lynch, assistant to Senator Shelby; Mark J. Albrecht, assistant to Senator Wilson; and Anthony H. Cordesman, assistant to Senator McCain.

OPENING STATEMENT BY SENATOR SAM NUNN, CHAIRMAN

Chairman NUNN. We will come to order this morning. This is not a hearing this morning. This is an informal meeting, but because of the importance of our guest this morning he has considered to have a transcript.

As part of our inquiry on NATO defense, particularly, the NATO future in the post-INF period, we are delighted to have a chance to exchange views with a prominent and highly respected European defense official.

On behalf of the entire committee, I want to extend a warm welcome to our distinguished guest, Dr. Willem van Eekelen, Minister of Defense of the Kingdom of The Netherlands and the Chairman of the Eurogroup.

It is principally in this capacity as Chairman of the Eurogroup that Minister van Eekelen is visiting the United States, as a representative of the 12 Eurogroup countries. Mr. van Eekelen will be able to assist the committee's efforts to understand European views on the INF Treaty and other defense challenges confronting the alliance.

The committee is meeting today in executive session and really in an informal way because we want a candid, comprehensive discussion and exchange of views. This session will be transcribed and, after appropriate reviews, will be printed for the record and for the committee's use.

To provide the necessary context and focus of our discussion this morning, we have asked the minister to lead off with a few comments.

Senator Warner, who you met over at the Wehrkunde Conference, is the ranking minority member of our committee. He is on the Rules Committee and trying to get a quorum on another meeting. He will be here as soon as he can, and I am sure he will have a lot of interest in the dialog today.

So we welcome you here very much. We have had a chance to meet and discuss things informally before. I think it is going to be extremely helpful for our committee to give us your views and to give the views of the Eurogroup as to the INF Treaty itself and as to the future of NATO in the post-INF period.

STATEMENT OF DR. WILLEM VAN EEKELEN, MINISTER OF DEFENSE, KINGDOM OF THE NETHERLANDS, ACCOMPANIED BY J.H. VAN DER PLOEG, DIRECTOR OF INFORMATION, MINISTRY OF DEFENSE, THE NETHERLANDS; AND HON. RICHARD HENDRIK FEIN, AMBASSADOR TO THE UNITED STATES, THE NETHERLANDS

Dr. VAN EEKELEN. Thank you very much, Senator. It is a great pleasure for me to be here.

As you know, the Eurogroup consists of all the European members of NATO except France. We are working together since about 1970, in the first place to put the European house in order as much as possible by strengthening our cooperation, making more efficient use of limited resources; and second, of putting across in the trans-Atlantic dialog the contribution Europe as such is making to the alliance.

We normally meet on the eve of a NATO ministerial meeting, and as such function as a European caucus. At the last meeting, ministers of defense of the Eurogroup asked me to express to you their desire to see an INF agreement ratified and put into force.

I think basically there are seven reasons for ratification in the first place. It is consistent with NATO's dual track decision of 1979, and I think a great success for allied persistence in maintaining a common negotiating position.

Few of us thought it possible only 6 months or 8 months ago that it would have been such a success thanks to allied determination.

Second, the INF Treaty establishes the principal of deep and asymmetric reductions to equal level, thereby I think setting a precedent for future arms control agreements.

Third, the treaty's verification provisions, including on-site inspection, are the most extensive and intrusive in the history of arms control and provide a sound basis for the verification of future agreements.

Fourth, although the INF Treaty gives up a capability for us of striking targets on Soviet territory, it also reduces the military threat to NATO. It eliminates a whole category of nuclear weapons in which the Soviet Union is superior, short and medium range missiles, with the least warning time to a targeted nation.

As a result, the survivability of command, control, and communications centers, air bases, ports, depots, and other facilities vital to the conventional defense of Europe will increase.

The treaty in my view does not lead to a greater exposure of the Federal Republic of Germany to Soviet military power. Therefore, it is militarily sound.

The INF Treaty does not undermine NATO's strategy of flexible response. With some 4,000 nuclear weapons remaining, the alliance will be able to maintain a credible deterrence.

Then the INF Treaty removes weapons which are directed at Western Europe and do not threaten U.S. territory. The remaining long range weapons do not discriminate parts of the NATO territory.

Ratification of the INF Treaty will enhance the coherence and credibility of NATO and might encourage public support in Western Europe of allied arms control policies, as well as defense efforts, both conventional and nuclear. And conversely, nonratification of the INF Treaty or adoption of amendments requiring further negotiations would seriously divide NATO and undermine support for a continued strong Western European military capability.

In my view, therefore, the INF Treaty should not be directly linked to redressing any imbalances, either in the nuclear or the conventional field. And perhaps I may enlarge upon that a bit.

I think the Soviets have been trying linkage and we rejected them doing so, and now I think we should not do the things we have been opposing on the Soviet side ourselves.

Chairman NUNN. Mr. Minister, let me introduce our other members. Since it is very informal this morning, I will interrupt you.

This is Senator Cohen, Senator McCain, and Senator Wilson.

Dr. VAN EEKELEN. I am just going through rapidly the reasons why the ministers of the Eurogroup think the INF Treaty is a good treaty and we express our support for early ratification. I have written it down in my statement, if you would like to glance through it.

My final point then is on page 2. The INF Treaty is of critical importance for East-West relations. It is a confidence builder, easing the way for progress in other important areas, such as human rights and regional issues.

Now, what should we do after the INF Treaty? Of course, much remains to be done. We feel the opportunity of concluding a START agreement should be grasped. Cutting by half the strategic nuclear forces of the U.S. and the Soviet Union and reducing the threat emanating from the most destabilizing Soviet strategic missiles, that is a U.S. interest and also a European interest.

Priority should be given to eliminate through negotiations the Warsaw Pact's ability to surprise attack with conventional forces and large-scale offensive operations. An agreement on conventional forces in Europe should establish a more stable and secure balance at lower levels, and that requires large asymmetrical reductions on the Soviet side.

Third, NATO must continue its efforts to redress critical deficiencies in the conventional field. A number of important programs have already been initiated, such as the conventional defense improvements program.

We should make also more efficient use of limited resources, the more so because in the years ahead defense budgets are likely to be constrained both in the U.S. and in most Western European countries.

But in the absence of a conventional arms control agreement, member countries should maintain their goal of modest growth of defense efforts in real terms, and The Netherlands Government is committed to that. Western Europe cannot do without the presence of U.S. nuclear weapons. A nuclear-free Europe would be exposed to the full brunt of the Soviet Union's surprise attack capability and would seriously weaken the coupling of European and American security.

Fifth, the Montebello decisions should remain the framework for assuring that NATO's remaining nuclear forces in Western Europe provide the deterrent capabilities required by alliance strategy.

And sixth, the alliance needs a comprehensive, integrated approach to all elements of arms control and defense planning, both nuclear and nonnuclear. I added that because I feel that sometimes people have the impression that this conceptual arms control framework is only arms control.

I think it should be a conceptual framework linking arms control objectives and defense planning needs. Only then can we remain consistent, in our planning and remain consistent in our reactions to international developments.

So Mr. Chairman, the conclusion of this brief statement is, the INF Treaty is sound militarily and serves the interests of the West. Ratification of the treaty would demonstrate that allied unity and resolve pay. It would open the way to even more important arms control agreements and allow the allies to move forward in other vital areas of our common defense.

Thank you.

[The prepared statement of Dr. van Eekelen follows:]

PREPARED STATEMENT ON THE INF TREATY BY DR. W.F. VAN EEKELEN, MINISTER OF DEFENSE OF THE NETHERLANDS, CURRENT CHAIRMAN OF THE EUROGROUP

1. At their November 1987 meeting in Brussels the Eurogroup ministers of Defense stated "their desire to see an INF agreement ratified and entered into force". As current chairman of the Eurogroup I am visiting Washington to demonstrate the importance the Western European member states of NATO attach to the INF treaty.

2. There are several reasons to argue in favour of the treaty's ratification:

—the INF treaty is consistent with NATO's dual track decision of 1979 and a success for Allied persistence in maintaining a common negotiating position;

—the INF treaty establishes the principle of deep, asymmetric reductions to equal levels, setting a precedent for future arms control agreements;

—the INF treaty's verification provisions, including on-site inspection, are the most extensive and intrusive in the history of arms control and provide a sound basis for the verification of future agreements;

—although the INF treaty gives up a capability of striking targets on Soviet territory from Western Europe, it also reduces the military threat to NATO. It eliminates a whole category of nuclear weapons in which the Soviet Union is superior—short- and medium-range missiles with the least warning time to a targeted nation. As a result, the survivability of command, control and communication centers, airbases, ports, depots and other facilities vital to the conventional defense of Western Europe will increase. The treaty does not lead to a greater exposure of the Federal Republic of Germany to Soviet military power. It is militarily sound;

—the INF treaty does not undermine NATO's strategy of flexible response. With some 4,000 nuclear weapons remaining in Western Europe, the Alliance will be able to maintain a credible deterrent;

—the INF treaty removes weapons which are directed at Western Europe and do not threaten U.S. territory. The remaining long range weapons do not discriminate parts of the NATO territory;

—ratification of the INF treaty will enhance the coherence and credibility of NATO and might encourage public support in Western Europe of allied arms control policies as well as defense effort, both conventional and nuclear. Conversely, non-ratification of the INF treaty or adoption of amendments requiring further negotiations would seriously divide NATO and undermine support for a continued strong Western European military capability. The INF treaty should not be directly linked to redressing any imbalances, either in the nuclear or the conventional field;

—the INF treaty is of critical importance for East-West relations. It is a "confidence-builder" easing the way for progress in other important areas such as human rights and regional issues.

3. After the INF treaty much remains to be done to enhance the security of the West:

—the opportunity of concluding a Start agreement should be grasped, cutting by half the strategic nuclear forces of the United States and the Soviet Union and reducing the threat emanating from the most destabilizing Soviet strategic missiles;

—priority should be given to eliminate through negotiations the Warsaw Pact's ability for surprise attack with conventional forces and large-scale offensive operation. An agreement on conventional forces in Europe should establish a more stable and secure balance at lower levels. This requires large asymmetrical reductions on the Soviet side;

—NATO must continue its efforts to redress critical deficiencies in the conventional field. A number of important programs have already been initiated, such as the Conventional Defense Improvements Program. We should make more efficient use of limited resources, the more so because in the years ahead defense budgets are likely to be constrained, both in the United States and in most Western European countries. In the absence of a conventional arms control agreement member countries should maintain their goal of modest growth of defense efforts in real terms;

—Western Europe cannot do without the presence of U.S. nuclear weapons: a nuclear-free Europe would be exposed to the full brunt of the Soviet-Union's surprise attack capability and seriously weaken the coupling of European and American security;

—The Montebello decisions should remain the framework for assuring that NATO's remaining nuclear forces in Western Europe provide the deterrent capabilities required by alliance strategy;

—the Alliance needs a comprehensive, integrated approach to all elements of arms control and defense planning, both nuclear and non-nuclear.

4. Conclusion: the INF treaty is sound militarily and serves the interests of the West. Ratification of the treaty would demonstrate that allied unity and resolve pay. It would open the way to even more important arms control agreements and allow the allies to move forward in other vital areas of our common defense.

Chairman NUNN. Thank you very much, Mr. Minister. All of us here are delighted to have you.

We believe that the coordination and cooperation of our allies is enormously important, both in NATO and facing challenges around the world. You and I were having a conversation when we started the meeting about the Persian Gulf, and I know we are going to have a lot of questions about the exact subject we are talking about this morning, the INF Treaty.

But I was interested, and I do not know whether my colleagues have heard about some of the things that are going on there. Could you mention to us just the number of ships you have in your country, and also the Belgians and the French and the British, and what is happening there in terms of increased cooperation?

Dr. van Eekelen. Well, The Netherlands happens to be at this moment until the 1st of July also the president of the Western European Union, the seven core members, so to speak, of the European Community, including Britain. And we are trying to put the European contribution to the gulf operation on an integrated footing, with, I must admit, so far limited success.

But we are getting somewhere slowly. Belgium and The Netherlands are operating under joint command. We have five ships there, one support ship, two Belgian minesweepers, two Netherlands minehunters.

It is an entirely joint command. At the moment there is a Belgian task force commander in the gulf and a Netherlands admiral in The Netherlands doing the homework, so to speak. We would like to enlarge that to include British and if possible also French and Italian units.

There is a difficulty because those countries present their presence in the gulf as protecting national shipping only, while the Belgian and Netherlands are there to keep open international waterways. We are not there to protect shipping of any particular country, not even our own. We are there to contribute to keeping the international trade route open for everybody.

And I think so far we have been successful in doing that. Slowly, slowly, we are including the others in our operations. We have now close technical coordination. That is the word for our cooperation with the British, which is important because their frigates provide some air cover and further protection against these fast patrol boats from the Iranian side.

And when we operate in the gulf, there is always a British frigate in the area. We are getting somewhere, but it is not yet ideal.

I would have liked the same command and control as we have with the Belgians, and I would be perfectly happy with accepting a British officer in command of the entire task force. But the British from their side say we have presented the operation as a protection of British shipping only.

Chairman Nunn. Well, I found that very interesting and I thought my colleagues would like to hear your view on that.

Back to the subject at hand, I know you were at the Wehrkunde Conference and I know you talked to almost all the top officials in Europe. The question of when and if we negotiate on short range systems is one very much in the forefront, of course, in the German consideration, and the Reykjavik decision by the various ministers sort of fuzzed it over, as I see it.

It was left where everybody could walk away saying they agreed, but rather vague about when those kind of discussions start and whether conventional had to be completed or whether conventional and chemical had to at least be started.

So I would like to get your views on that, and also the question of modernization and whether you believe Montebello is something that is definite or whether Montebello is a general concept that has to be discussed further. Just your views on both those subjects.

Dr. VAN EEKELEN. Yes. Thank you. Well, first on the short range nuclear weapons, from my statement it is quite clear that The Netherlands' position is to concentrate first on the main problem. I think, Senator Quayle, you said that the main problem is indeed the conventional imbalance. I remember your words at Wehrkunde, and I fully agree with that.

And I think there we have to do something before the short range nuclear forces should be reduced. But as the chairman said, at Reykjavik the foreign ministers had a formula "in conjunction with," and it did not really spell out the sequence in time.

I think it is very difficult to avoid a third zero option once you have started negotiating, because the figures are so weighed in the Soviet Union's favor that if they offered to eliminate all short range nuclear weapons it would be very difficult to reject and then I think our deterrence posture in the alliance is really in danger.

I was involved as an official in the early days of the nuclear planning group in 1967 and so on with Secretary McNamara. I still remember his table here in the Pentagon. He was squeezing the defense ministers so that they should really get involved.

But at that time, of course, our idea about the role of tactical nuclear weapons was different. We looked on them more as fighting a battle if necessary. I think now, because the Soviet Union has built so many in the meantime, the main role on our side is to deter the Soviet Union from using nuclear weapons and second, avoid concentration of forces in the conventional attack.

So if they are not able to mass conventionally, because then they would offer targets for nuclear weapons, they will have to spread out more and then our conventional defense becomes more credible.

I think those are the two basic functions now of these tactical nuclear weapons in Europe.

Chairman NUNN. What about modernization?

Dr. VAN EEKELEN. My view there is that Montebello is a deal. We concluded a deal among us, but also with regard to the NATO military authorities, military commanders. And they presented plans which allowed for a large reduction in nuclear warheads, 1,400, that has been executed now.

We have less, and I think rightly so. We could do with less. Maybe in the future we could do with even lower numbers, but that remains to be seen.

But in return, we engaged ourselves in a modernization program. Now, modernization is a word which has got a political context, and maybe we should look for another word.

But I think as weapons become obsolete, it is quite normal that they are being replaced by other weapons.

So I think Montebello should stand, and I think it would be the wrong signal certainly before any negotiations have started if we were going to waiver. And in that respect, I regret any European saying that modernization will no longer be possible.

My second point is that Montebello was in addition to the INF Treaty it has its own merits. And you could even argue whether perhaps something in addition to Montebello should be necessary. I think that is probably not wise, but it underlines the importance of the new assessment which the NATO military authorities are now making and which will be discussed at the nuclear planning group in April in Denmark.

Then I think we have to assess the requirements for the alliance, but not in the sense of reducing the Montebello commitment.

And the third point is that, while I think it stands or should stand, immediate concrete decisions do not seem necessary. What I understand from Frank Carlucci and others is, too, that they are considering various alternatives for the follow-on to Lance, for the standoff weapon, for the aircraft, our F-16s or the Tornadoes, but that a concrete choice is unlikely to be made shortly.

So then I also think we should not overburden the traffic, emphasize the basic tenets of Montebello, but say concrete decisions are not necessary until there are concrete plans on the table.

Now, you may have a problem there, that you say we are not going to have appropriations for new weapons systems if there is not a further clear commitment that these weapons systems will be accepted. That is why I say you can ask us Europeans to confirm Montebello in general terms. But again, I think we have to steer midcourse.

You have to determine when is really the moment that you require a concrete decision and when is it still in the development and testing phase, which will be carried on, I imagine, in any case even without precise commitments from the others.

The final point is, that if there were any discussion about what weapons system should have priority, is it artillery, is it other weapons, I think that most people would say follow-on to Lance is the most important future capability in Europe, because it is ground based, it is longer range, less vulnerable, more accurate.

So I think there is little doubt that that will be accepted.

Chairman NUNN. Thank you very much, doctor.

Senator Cohen.

Senator COHEN. I just have a couple of points to make, doctor. I recall your story about perestroika and the raven flying backwards.

I think some of my colleagues missed it. He told a story about a raven who was flying backwards, and was it a fox? Well, I will let you tell the story. But in any event, it was an interesting point that he made about perestroika being for high flyers.

And it occurred to me that, just as we should not be flying backwards, we ought not to be rushing off like headless horsemen toward a START agreement. Many of us have some concerns about the verifiability of a potential START Treaty. We are now going through the Intelligence Committee, the Armed Services Committee, and the Foreign Relations Committee, looking at the verification capability of the United States for the INF Treaty.

Assuming that we come out with a positive recommendation on the INF Treaty, it does not follow that we have the same capability for monitoring a START agreement. My concern is that we not get caught up in the fasching spirit and be too celebratory about the arms reduction mood in the Soviet Union because we might find ourselves caught up in the rhetoric becoming the reality.

And much as we have joy about the zero-zero option and what it would hold for the future of NATO, and especially Europe, we now see there are some problems with that. And I think it would be a mistake to suddenly start beating the drum loudly for the START agreement to come in June, building expectations which will not be realized during this year, at least in my judgment.

In that event, I think that there is a danger that the United States would then be perceived as somehow not contributing its share to reducing the threat of nuclear weapons and warfare.

I would like not to see the Europeans coming to the United States saying, we must now move forward rapidly with a START agreement that reduces systems by 50 percent. I do not have any problem with a 50-percent reduction, provided we have a capability of verifying it, and I do not think we have that.

Dr. VAN EEKELEN. Well, I would like to agree with you, Senator. Of course, we Europeans are not interested in agreements which are not verifiable. And I also agree with you that verification of START will have to be different from verification of INF, simply because in INF we will eliminate entire categories of weapons systems and in START still many weapons systems will remain.

Senator COHEN. It is not only that. It is the mobility that causes us problems.

Dr. VAN EEKELEN. Yes. But I think Senator Nunn also made that point at Wehrkunde. It is the question, when do you have faith in verification? There will always be a possibility of cheating under any agreement, but when is it going to be militarily significant?

And I think that question will have to be addressed, that is quite true. But I have the impression that the present administration is fully aware of it.

Senator COHEN. They are fully aware of it. I am not sure if they are prepared to fully address it, that is the problem.

Thank you, Mr. Chairman.

Chairman NUNN. We will just go around as people would like to ask questions. We do not have any particular order this morning.

Senator Exon.

Senator EXON. Thank you, Mr. Chairman.

I want to welcome you here, Dr. van Eekelen. I think you know that we are going through quite a period of budget restraint here and some time this week we are going to be receiving the President's recommendation for the defense budget, and it will be a startling change from that in the past.

I want to echo the comments that some of my colleagues have made. I am a strong supporter of INF. We have not gotten into all the details of this treaty and it may fall upon the Armed Services Committee to get into some of the details, although the committee of jurisdiction on this is our foreign affairs committee of the U.S. Senate.

I guess I am concerned, though, about rushing into this START proposition, yet the message that we are receiving from you and others is that START is a good thing, and I do not think we should be tieing any specific additions to the INF Treaty.

But I think there is a general feeling among many of us that we should not rush into a START Treaty. We have been told the same thing by our European allies and by some administration sources—that START standing by itself is a good thing, regardless of whether or not we begin to address the Soviet imbalance in conventional forces.

When I think of conventional forces, I include chemical as well as other conventional forces in that area. So there is a concern here and that is going to come up, I think, along the line of these overall discussions.

I am always concerned about the fact that there is a euphoria in the free world that, you know, somehow we can just ignore the Soviet threat in certain areas. I just came back from a trip to the South Pacific, where I was struck by the extent of the nuclear-free zone idea there.

There are different versions of it, but you also have it in Europe. I met with the Prime Minister of New Zealand, where as you know we have considerable difficulties—our nuclear-powered ships cannot even go into their ports, which is ridiculous on the face of it, it seems to me.

But as ridiculous as that is, that is a concern that I have with regard to Europe, you know, especially the Germans. I asked the Prime Minister of New Zealand that—I am from Nebraska and we have SAC headquarters there and we have Minuteman III's in the western part of our State—did he think that my children and grandchildren would be safer living in Nebraska if somehow I could get Nebraska declared a nuclear-free zone? Would that contribute to their stability?

He had no answer to that, of course. I only cite that as an example of something I am afraid is taking hold. That somehow if we just rid these nuclear weapons that I think have been the main deterrent for the peace that we have had for a number of years, that the Soviet threat is probably going to go away.

I do not think that is the case at all. But in that vein, how do you see the European leaders reacting to the fact that we are going to have a real reduction in defense dollars, not an increase like we have had for many years, a reduction in the "commitment" to the national defense of America and the free world?

How is that going to play in your country and in the European allies with regard to the beating over the head that you have received from us for the last several years about not keeping up your end of the commitment for 3 or 4 or 5 or 6 percent of GNP going into national defense? I am worried about what political problems that might cause you.

Is it a legitimate concern?

Dr. van Eekelen. Yes, it is, because we are under equally difficult financial constraints in The Netherlands as you are in this country. We have a large budget deficit and we have a large unemployment figure. So there is always pressure on the defense budget.

Nevertheless, the government has decided that on the one hand we have to reduce all areas of government expenditure, except two, and it is defense and the development assistance to the Third World. Those remain priorities of our government.

But certainly if further economies have to be made, people will cast envious eyes on the defense budget. And that is why I have made a point of saying you can expect from the Europeans continuity and modest growth in defense, I feel. I think that is a legitimate demand from the Americans toward the Europeans.

On the other hand, I feel that some Americans sometimes exaggerate the burdensharing argument. I think the United States is a superpower and superpower status involves a higher degree of expenditure. Look at the Soviet Union. They have what, 13 percent of GNP at least, and some calculate even higher.

Second, the fluctuations in the American defense budget over the years have been a bit erratic in Europe.

Senator **Exon**. I think the term "a bit" is an understatement.

Dr. **van Eekelen**. Well, I do not want to meddle in your internal political affairs. Let me use British understatement from time to time.

On the one hand I recognize that there is always that superpower aspect, a sort of inequality between the defense effort of the United States and the allies. On the other hand, I warn against the argument that if the United States is doing a lot then the allies are accused of not doing the same thing, and if the United States is doing less than the allies are incited to pick up the slack.

Either argument is a bit doubtful. I was involved before I went into politics in defense planning, and I always regard NATO defense planning as mutual arm-twisting. Of course, we have to talk to each other and we have to see where countries can do more, and that is a continuous process.

And that examination of defense efforts is very good, and provides also a stimulus for good defense planning. But it should not be exaggerated, and as I said I think the maximum we can expect is maintaining defense effort with modest growth, yes.

Chairman **Nunn**. Senator Quayle.

Senator **Quayle**. Welcome.

Let me just pick up a little bit on what has been said by the chairman and Senator Cohen on the conventional forces, the follow-on to the Wehrkunde Conference. We have got this meeting in Brussels coming up on March 2 and March 3.

I believe that we will be advocating to move ahead somehow the Montebello decision, without pushing Kohl too much into a corner, but giving certainly a public impression that we are moving forward and not standing still or taking a step backwards, which I think is very important to come out of that, I might add.

I think if in fact we come out of Brussels saying the public perception is that it is a standstill or we are maybe even changing our mind or taking a step backward, that would be very unfortunate. And I know that we will be arguing on the communique or whatever that will come out of the 16-nation statement in the conference.

And it will hopefully be perceived, and I hope you can help us, as moving this forward.

The other thing that I think would be most helpful—and I share Senator Cohen's concerns on the START agreement. Also, I might just say that I think our Secretary of State and our President are very, very dedicated to getting that START agreement.

And quite frankly, no matter how many complaints you may hear about a crowded Senate calendar, if in fact they would submit that some time this summer, I would presume, though I would probably have a lot of problems with it, from what I know I would think it would be very difficult for us not to consider it.

Be that as it may, and I do believe that, recognizing that we have some very serious potential problems, not just on the verification—I have got some concerns about how they are going to be dealing with the conventional sea-launched cruise missile, what this 50 percent reduction, how it is going to take place, the whole de-MIRV'ing concept.

There is all sorts of very, very thorny issues that remain. But I do not want to leave the impression that somehow—I think it is still on what I call a fast track. Now, it may be slowed down, but I know the Secretary of State and the President are very, very committed to it, and certainly it is the impression that the Soviets are very, very committed to it.

And you have got the ingredients that this thing could move forward very, very quickly. I do not think that would be good.

As a matter of fact, I think we need to have some time to see how we implement this INF Treaty, particularly the on-site inspection. How is this really going to work, the exchange of information, the data base? We do not even get the data base until 30 days after the treaty. Is that going to be the same as the memorandum of understanding? I do not know.

I mean, they are already talking—there are some reports today that they are now starting to eliminate these missiles. What kind of verification rights do we have to check that these things have been eliminated?

We are going to have a whole host of issues that are going to come up, and I think we can learn a lot from INF to apply it to START. But I think START is on a very, very fast track.

Therefore, I would hope with Brussels not to ask anybody to change positions on START because it is too far down the road and we will deal with that as it comes, but to really emphasize this conventional problem we have, and that we have got to move in that area.

I mean, that is the problem. It is not the strategic imbalance; it is the conventional imbalance. And we really have got to address it.

You can address it in two fundamental ways, either through an improvement program, which I hope we will be able to adopt. I know it is difficult to get programs specifically, but we have got to look at improvements. The lesson that we have in INF is very important, that we had to build up and do things before we got arms control, and then get serious about moving into a plan to have an arms control proposal.

And if somehow that can be the highlight and really emphasized at Brussels, I think it would do us all a great deal of good.

I was in Brussels for a couple of days and I advocated that position. And I believe—I do not know the specifics of it, but there was a reception that I felt was very encouraging. And I just ask you as a very important player in this alliance and one whose feelings I think reflect mine and others, to look at how we can work within that community to really highlight this conventional problem that we have, the imbalance and what we need to do.

And by addressing that, I think that we will begin to focus our attention where I think the attention needs to be. And I just bring that up as an important deadline we are coming up on within the next 3 weeks.

And I think that communique, I think, will be very important.

Chairman NUNN. Dr. van Eekelen, let me just introduce briefly Senator Warner, who is our ranking member on the Republican side, and Senator Thurmond, who is our long experienced and very respected member of this committee of the Senate.

Dr. VAN EEKELEN. I fully agree with Senator Quayle that the conventional imbalance is of course our main problem, a rather difficult problem. The MBFR talks, of course, have not been very successful so far. So we have to think of some new ideas, and things are going fairly well, I think.

We are now reaching consensus on what we should ask for, and my own country has had some inputs in that context, too. I think we should really concentrate on the tanks and the artillery, maybe some other factors like bridge-laying equipment and so on, really to stop the massive invasion capabilities there.

On START, perhaps an additional point. Of course, your people have been working at it, and consultations with NATO have really been excellent for 3 years, virtually. So there is a lot of groundwork being done.

Then the question is, is this the time to conclude a deal? As you said, I think both sides are interested in concluding one.

The Soviet calculation apparently is that if they conclude an agreement with the present administration, then they have a good chance of getting it accepted by the U.S. Senate even if ratification cannot take place during this administration. The chances of support are pretty good, in view of the fact that they regard the possible next administration as probably not more prodefense than the present one.

I do not know whether that is true or not. I think that is their calculation. At least that is the way they talk to us.

I think it is always a good basis if both sides are interested in an agreement for their own reasons. And then, is it possible to make use of that momentum? Well, that has to be evaluated fairly soon.

In that respect, the forthcoming visit of Secretary Shultz to Moscow may be decisive.

Senator QUAYLE. They have four meetings between now and the end of May, Shultz and Shevardnadze.

Dr. VAN EEKELEN. But I think if this one does not "go well," then the chance of having a START Treaty in time is out. So then it will also be a sign whether there is sufficient incentive on the Soviet side to conclude an agreement.

But I am not saying that we should be weak on verification, not at all. It is in our interest, and also the European interest, to be clear on verification, because what is happening in verification on START will be an eminent precedent for verification of the conventional arms agreement.

There, intrusive inspection is probably even more required than for START.

A final word on START. Fifty percent of course is a lot, but a lot remains as well. We have to assess that capability, what remains. And I thought that the second strike potential of the United States, even with 50 percent reduction, could be adequate provided it is the right mix and right character.

So on the whole, I think Europeans will say, without a START agreement we cannot really expect progress in the other arms control fora, including the conventional and the chemical ones. With START, we have enough left for the strategic balance, and there is also a good basis for going on further.

But what I think very few Europeans will admit is that any linkage between START and the conventional wouldn't work. That would probably postpone both and lose the momentum.

Chairman NUNN. Other questions, Senator Levin?

Senator LEVIN. Thank you. Let me add a more formal welcome.

Secretary Carlucci was quoted at Wehrkunde, perhaps inaccurately. I was there; I am not sure I heard it this way, either. He was quoted as saying that we might withdraw or we ought to consider withdrawing some of our troops in the event that the modernization program did not go through.

Now, does that formulation, assuming it is accurate, come across to the Europeans as being heavy-handed?

Or does that put positive pressure on the Germans?

Dr. VAN EEKELEN. Well, I will talk very frankly in this private meeting. I was a little surprised that the Secretary used it, but the notion is known to us. I put it: No nukes, no troops.

Well, from the American side I think it makes sense, and it probably makes sense to say that to the Germans, too, with only a question of whether Wehrkunde was the best forum or not. But that has been said to the Germans.

Without nuclear weapons, as I said earlier, I do not see really deterrence working in Europe for the foreseeable future, even if we have this conventional balance. I think some nuclear weapons will still be needed.

Of course, conventional deterrence alone makes war calculable. Hitler had less forces than France in World War II but nevertheless achieved victory in 3 weeks.

The role of nuclear weapons will remain necessary, yes. In that respect, of course, Chancellor Kohl's visit to Washington tomorrow is also interesting. I think some clear talking is quite necessary, but it is a perceived political problem in Germany.

Senator THURMOND. Mr. Chairman, would you allow me to ask one question? I am in three meetings.

Chairman NUNN. Senator Thurmond, yes, sir.

Senator THURMOND. You have probably stated your position on Montebello. Would you mind restating it for me?

Dr. VAN EEKELEN. Yes. I said Montebello is a deal and I am prepared to maintain the deal. The deal was reducing 1,400 warheads. They have been eliminated. The other weapons as they are becoming obsolete should be replaced. Whether "modernization" is the proper word in view of the political discussion in Germany is not a question.

And my third point was that I think the follow-on to Lance is probably the most important weapon system there, and also the weapons system which in the European context is the most "acceptable," because one of the things which is always worrying the

Germans, but I also think some Americans, is that the present nuclear stockpile in Europe is too vulnerable, it can be overrun.

Now, the advantage of the follow-on to Lance is that they can be deployed further backwards because of the longer range and the chance of them being overrun is less. For example, my own government has decided to have so-called mission teams for nuclear artillery. We are no longer dedicating one artillery battalion for the nuclear task. We are keeping the nuclear warheads in reserve at the corps level and making an arrangement that they can be dispatched to all four 8-inch artillery battalions which we have in forward position.

So we have now flexibility. And the chance of them being overrun is much less.

By introducing a longer range weapon like follow-on to Lance, we can also alleviate somewhat the German concern that the moment of early use will almost be inevitably close.

Senator THURMOND. Thank you very much.

I have a judicial nomination that is coming up. Thank you very much, Mr. Chairman.

Chairman NUNN. Thank you, Senator Thurmond.

Dr. VAN EEKELEN. Very nice meeting you, sir.

Chairman NUNN. Senator Symms.

Senator SYMMS. Doctor, I appreciate your being here with us this morning. And I am one of the members of this committee that has been very, very skeptical of the INF Treaty, and the basic reason for it is that, number one, I have not yet been convinced that the Soviets do not have about 300 missiles, which would amount to 900 warheads, that they have hidden from the Western alliance, which would be approximately 900 to 1,000 warheads, depending on how many, which would be a substantial threat to us in Europe in terms of a balance of power in a blackmail situation if we became aware of it, say, 5, 6, 8 years from now, after the START agreement.

And the other one is that if they do not cheat and they do get rid of the intermediate range missiles, then you will be in a position still of being targeted by their longer range missiles. And so the threat to us in the West does not change all that much, but we have lost our deep strike or intermediate range, I should say, strike deterrent, which would I think—you know, it is the old saying. I have a neighbor in Boise that is a citizen of your country and he always says to me: Remember, Senator. He said: Me, speaking as one Dutchman, as he puts it, I would rather have a missile in my backyard than a Russian in my kitchen.

So what do you say to people that talk like that?

Dr. VAN EEKELEN. Well, I agree with him. But in this case, we hopefully can avoid both, because the Soviets are withdrawing four times as much as we.

Senator SYMMS. But they still do have the same targets targeted. I mean, no one has come in here, no military expert, and said that the day they take out an SS-20 they will retarget the same target with an SS-24 or 25 or Backfire or some other means.

Dr. VAN EEKELEN. Well, I think there are two points there. In the first place, the remaining weapons systems, over 500 kilometers, are now all in the intercontinental range. I agree with you that if they are targeted at the United States they could also be targeted at Western Europe. But that is a common problem, and that would come in the future under START.

The remaining weapons which they have are less than 500 kilometers, so there is the problem of the SNF. But that stands on its own.

I agree with you that we have lost a capability of hitting Soviet targets from Western European territory, but there are still several capabilities left. We have the F-111 aircraft. We have the missiles on submarines. The SLCM situation is unclear, but there may also be a potential there.

Oh, yes, and one other point which perhaps is worth mentioning. It has been lost in the discussion. The threat to Western Europe is really diminishing also in the context of the ATBM, the tactical ballistic missiles in the conventional role, which a year ago Secretary Weinberger was still mentioning as a major problem for the defense of Western Europe. That has been virtually eliminated by this deal.

The number of targets which the Soviets can hit with the existing potential is more limited than it was. We should not exaggerate the importance of INF. As I said, the Soviets have an interest in INF, too, because they were afraid of the Pershing IIs in particular. Certainly that is true.

But I think on balance we are better off, apart from the fact that we are consistent. My own government in 1979 was in favor of a zero solution. Then the President of the United States took over the European position of the zero option.

Well, you can question, of course, whether we in 1979 were right or the President took the right decision. But in politics, once you have taken that line and once the line is successful and you get what you asked for, then very few politicans can afford to say, well, on second thought it is not such a good idea.

I mean, we really would have lost all credibility there. That is what I tell my French colleagues, too. The French have always been against, because they have an entirely different strategy. Their strategy consists of hitting Soviet territory regardless of what happens. They think that is enough.

Now, I do not think that is enough.

Senator SYMMS. I appreciate that answer. I guess some of us feel like we may be in a box on this one because of what you said, you know, with respect to politicians making an offer. It is like being called in a poker game, although I did not make the offer. So that is what troubles me.

But I still have to vote on the issue.

Dr. VAN EEKELEN. Mr. Chairman, when I answered Senator Quayle, but I think Senator Levin also made the same point, I thought of one complementary point on the conventional balance. I think what we have to warn our publics for at the moment is unilateral reductions on the Soviet side or proposals from the Soviet side which seem interesting conventionally, but are insufficient.

I agree with the chairman when some time ago he said, well, it should be a 1 to 6 ratio, and Rand Corp. comes up with a 1 to 5 ratio. But let us say in any case anything less than 1 to 5 is not really enhancing our security.

Now, what I expect in the rest of this year to happen is either that Gorbachev will withdraw unilaterally one or two divisions from the DDR or that he will make proposals in the conventional sphere which fall far short of the 1 to 5 ratio.

And I in my own country, I am not trying to prepare public opinion for that, that when that proposal is going to be made people are not surprised when I say, it is interesting, but it is not enough; it is a step in the right direction, but it is not enough.

Senator WARNER. Mr. Chairman, at that point could I interject a question?

Senator SYMMS. Thank you very much.

I apologize. I have another committee I have to go to.

Chairman NUNN. That is a very important point.

Senator Warner.

Senator WARNER. You are on such an important point. We dwelt at length on the conventional arms control scenario in a series of meetings that the chairman has held in this committee. As you well know, the CSCE is now working on a mandate, that goes to the 23-nation forum, which includes NATO allies and France.

Are you familiar with that procedure?

Dr. VAN EEKELEN. Yes.

Senator WARNER. You say that prior thereto, because that procedure is going to take some time to unfold. Gorbachev would go out and seize the public by pulling out the divisions.

They do not seem to understand the complexity of this byzantine trail that we are working on to get the talks going. Why should not NATO jump out ahead of him? The summit is imminent. Jump out. I understand that constructive hard work has been done on a framework for the 23-nation forum.

Why should NATO not jump out and seize the high ground and the public esteem and start on this, rather than let Gorbachev take it?

Dr. VAN EEKELEN. Well, I fully agree with you, Senator, that if the March summit of NATO could have a signal to that effect it would be good, and especially if we could present it in a light of conceptual arms control planning and defense planning and linking those two. I think that would be a very sensible background to our public.

But on the other hand, we should not underestimate the problems, because if we say 1 to 5, 1 to 6, then immediately many people will say: My, that is very difficult to negotiate. And of course, they are quite right.

So if we are taking initiatives, they have to be underpinned. They have to be underpinned well enough and made clear to our public that that is really what is necessary.

That is way I agree with Peter Carrington, who is doing an excellent job as Secretary General of NATO—I am in full agreement with him that now NATO has to come forward with a force balance sheet.

Senator Levin has done a lot of work here. I think now that sort of thing should be done in NATO.

Senator WARNER. I agree, but my point is this is a battle for public opinion in Europe and in the United States. Those of us that are in parliamentary and legislative work know how important, it is to get out ahead of the other person, stake out the ground.

If NATO will only come out and begin to add credibility to the asymmetry issue and explain the issues. You do not have to come down to precisely the number of tanks and artillery pieces and the ratios, but just tell the case and how you are working on it and that this is the direction in which we should go.

Otherwise Gorbachev is going to pull another high wire act, probably on the eve of the summit, with the President. The whole world is going to be sitting back saying. He has done it again.

Dr. VAN EEKELEN. May I read you quickly what we have submitted, a proposal from The Netherlands side for the high level task force which is heading up the mandate for these conventional stability talks. We emphasize two points:

In the first place, substantial reduction of the Warsaw Pact capability for surprise attack in Central Europe, by the removal of 10 Soviet divisions out of the DDR and Czechoslovakia;

And second, the elimination of disparities in the whole of Europe by the establishment of common collective ceilings of conventional forces, with regional sub-ceilings leading to parity.

Those two elements should be considered as a package and should be part of one overall agreement. They would each be executed in several consecutive phases, and the second element should not necessarily follow.

Senator WARNER. It sounds to me like it is very reasonable and the general direction that the entire NATO should proceed.

Dr. VAN EEKELEN. The NATO summit could have the wording of that.

Senator WARNER. I am just saying, we have a golden opportunity. The time is right, and I hope that those in authority at NATO will seize upon that.

My next question would shift over to the creation of the Franco-German military organization and what your views are on that. Senator Nunn, the majority leader, others, and I travel to Europe extensively to discuss these matters. This is a matter of concern in Great Britain, Italy, Turkey and elsewhere.

Have you discussed that yet?

Dr. VAN EEKELEN. No, not yet. I just want to say—these are my private Dutch views, of course. I am not speaking on behalf of the Eurogroup here.

My first point is that Franco-German cooperation is good, because I cannot imagine European defense without Franco-German cooperation.

Second, I think, important as it is, it should not be left to a bilateral framework. In other words, we should not allow the French to engage in a number of bilateral alliances and thereby give the impression that they have returned to the NATO integrated framework, because it cannot be like that.

Therefore, we should try to involve the French in a multilateral framework, not only bilateral with the Germans, but also with other countries.

I understand even possibilities for Franco-American, perhaps British, cooperation in some equipment programs. I think that would be excellent.

But apart from that, looking at it now only from the European side, if they have a brigade, this Franco-German brigade, I think ideally other European countries should add forces. In my view it is symbolic.

Some people think that is undercutting NATO. I do not think so. It is a German territorial unit which is not under immediate NATO command. It is not undercutting the NATO command structure.

It is symbolism, which is important. France and Germany, having fought each other so many times, integrated in one unit is good, but symbolic. I think the symbolism could be extended to other countries.

I am much more worried about this defense council which they have set up. If the council is only a new name for what they have been doing in the past, it is all right, because then it does not mean anything, but takes things to a somewhat higher level, the secretary general and ministers and senior officials.

But as the French President at one moment said, it is open to Italy, Spain, as he said at one moment, then bad, because then it is cutting across all the other organizations of European cooperation, apart from mortally offending the British by not mentioning them. It really would be very, very bad.

The Western European Union, we try with seven countries to do something. Well, can you imagine us trying to pull European defense cooperation off the ground, lifting it off the ground, and at the same time having a defense council of France and Germany and Italy and Spain?

I cannot. So that is bad then. And I am saying that clearly to the Germans, too. We have plenty of fora for European cooperation, perhaps too many. I think when you were in Munich I used the image of layer cake, and the layers are out of place because there are always different members in the layer. That makes consumption pretty messy.

Senator **WARNER**. Thank you.

Thank you, Mr. Chairman.

Chairman **NUNN**. Thank you, Senator Warner.

Senator **EXON**. I have one question if I might, Mr. Chairman.

Let us go back to this conventional balance a little bit, which is of major concern to many of us here, and I am sure you understand that, Mr. Minister. I have a feeling—and tell me if you think I am wrong—that in the short term at least, the INF Treaty magnifies the Soviet superiority in conventional forces.

I said I am for it, so I think that is a risk we are taking. But do you think I am right in my assumption? If not, please tell me so and why.

Second, there are those of us here who feel that with the continued rush to INF and then quickly to START, what incentive is there for the Soviets to talk seriously about a reduction in conventional forces?

Dr. **VAN EEKELEN**. That is indeed the crucial question. Well, first your point. I agree with you that after INF the first priority is the conventional imbalance. Ideally, if we could start from scratch, so to speak, and if you would have sort of a timetable for arms control, ideally we should start at the conventional end and try to reach agreement there.

We have been doing that for 14 years in MBFR, with very little success. And now I think the sooner we conclude MBFR without an agreement, the better in my view, because the assumptions underlying MBFR are no longer valid in the context of the Atlantic to the Urals.

And the personnel criteria are the wrong criteria, because then we are counting Spanish and Portuguese soldiers as balancing Russians and the DDR and Czechoslovakia. So I think MBFR, better forget about it as quickly as possible and concentrate on the offensive capability, especially artillery and tanks.

So it will certainly highlight the conventional imbalance, and in a way INF was sort of a target of opportunity. It arose and we availed ourselves of it, and we managed it fairly well.

As I said to Senator Symms, I think on balance it worked out a bit better for us than for the other side. But the conventional imbalance is indeed the problem.

Is there an incentive for the Soviets to engage in reductions? I think it partly depends on their assessment of the need for forces in the satellite countries. Those forces have a double role. They suppress the population in those countries to make sure that they will remain in the Communist fold; and second, they are a counterweight to NATO.

Do they really need so many forces in a system which hopefully is concentrating in the future a bit more on efficiency and proper use of resources? I do not know. I think the economic constraints are there. I am not exaggerating them.

But that is a very good question: What are the incentives for the Soviets to engage in conventional arms control? Because it is the only thing that they really have which is worrying us.

But if you turn the argument around, I do not think anything we can do in terms of linkages, either START or INF or other arms control, either it is not increasing their willingness to do something in the conventional sphere or it is stalling everything, and thereby the chances of conventional balance are not increasing, either.

So I think we have to proceed on the same dual track approach, see to it that our defense remains credible, concentrate on the conventional defense improvements which are necessary. I think over the years the quality of NATO defense has improved.

If I look at my own country—and I do not like to brag too much, a little bit of course always, but not too much—we are, after Germany, we are the first country to have Leopard II tanks. After the United States, we are the first country to have Patriot air defense systems. We are after the United States the country with the largest number of F-16 aircraft.

Well, other countries are doing similar things. Sometimes in this country the feeling is, well, the Europeans are just good for nothing and are not prepared to spend on defense.

There is always an imbalance, of course. You are a superpower and we are not. But in terms of value for money, I think many of the European countries are making quite a credible effort.

And that has to be maintained, certainly. And that may eventually be an incentive for the Soviet Union to say, well, having a certain balance at the lower level also becomes a Soviet interest. But I think it is a long haul.

Senator EXON. Thank you, doctor.

Chairman NUNN. Dr. van Eekelen, I have to depart because I have another meeting that started about 10 minutes ago.

Senator Levin do you have another question to ask?

Senator LEVIN. If you have another few minutes, I have a couple of questions.

Chairman NUNN. I will leave and Senator Exon can dismiss us. I would like to get the story about the raven, though, before I go. Would you tell us that story? I was not there when you told that.

Dr. VAN EEKELEN. Yes. Apparently it is a story which is currently in Moscow, and it is about a fox walking through the forest. And he sees a raven, but the raven is flying backwards. And the fox, very interested, asks the raven: What are you doing flying backward?

And the raven says: That is perestroika. Ah, the fox says, always willing to try something new, perestroika. So he starts walking backwards. But as he has a big tail, he does not look very well where he is going and he almost walks into the path of a wolf.

And the wolf snaps at him and hurts his tail and he is bleeding, but he manages to extricate himself and limps away. And he thinks: Well, the raven, I do not know why he recommended that, why he was so much in favor of perestroika.

So he starts looking for the raven again, and yes, the next day he sees the raven, still flying backward through the forest. And he says: Look what happened to me. And then the raven said: Ah, perestroika is only for high flyers. [Laughter.]

Chairman NUNN. Doctor, this has been very, very helpful testimony. You have been most helpful and generous with your time. It has been enlightening for us and it gives us a perspective that we could get no other way. We thank you so much.

I am going to leave Senator Levin and Senator Exon here if they have another question or two.

Senator LEVIN. If you have a few more minutes.

Dr. VAN EEKELEN. Certainly.

Chairman NUNN. Mr. Ambassador, thank you very much.

Senator LEVIN. I have a couple of questions which have been raised by what you have told us here this morning. The first is the question raised by Senator Warner about the integrated brigade, the German-French brigade. Part of your answer to that was that ideally other European countries could add forces.

Did you mean to exclude U.S. forces from being added to such an integrated brigade when you said that? I know that is not your ideal answer. Your ideal answer is broader than that.

Dr. VAN EEKELEN. Well, ideally France should return to the integrated military system.

Senator LEVIN. Exactly. But if they are going to proceed, down that route, which is not our number one preference, did you mean other NATO countries should add forces or did you mean other European countries?

Dr. VAN EEKELEN. No, NATO.

Senator LEVIN. The reason I ask is because I have been very much interested in the integrated force idea, I have suggested that we have integrated battalions or brigades including forces from all NATO countries, along the front, where all NATO countries would have some forces.

I am not talking about a large number of these. I am talking about the symbolism of having at various points along that front integrated brigades or battalions, in order to demonstrate our unity, so that if the Soviet Union crossed anywhere they would hit all of us.

I do not like the symbolism of that layer cake in NORTHAG at all. I think we ought to have a marble cake, if we are talking about food.

So I have suggested to General Galvin and to others recently that we look into that possibility, to reassert our linkages to each other so as to symbolize the unity of NATO and the determination that there is no place where the Soviets could cross that inter-German line or anywhere else without all of us being in the soup together. That would be good for our publics and I think it would be a good deterrent.

So that is the reason I asked you that question. If you have any comment about that integrated battalion——

Dr. VAN EEKELEN. Basically, I follow your argument entirely. By the way, I think that is also the importance of your U.S. brigade at Carldstadt near Bremen and the Third Corps with its possibility of going to the defense of northern Germany, your corps being in the southern part of that country primarily.

So from a European point of view, involving the United States in all parts of the front is very important. I would be quite prepared to extend that concept also to the other European countries having similar involvement.

I think we have to look a bit at the efficiency side of it. Is it adding to the military capabilities or is it making things more cumbersome?

I think there are several practical approaches to that. One example applies to my own country for our Royal Marines. The Royal Netherlands Marines are integrated with the Royal British Marines. We operate under joint command. We exercise 11 weeks a year in Norway, some weeks in Scotland.

So that we have that example of mixed manning and an integrated unit.

Then the question is, can we do something similar in Germany? I think basically yes, but try to do it in a militarily effective way.

For example, in our corps area we are short of helicopters. We have not yet acquired antitank helicopters. Well, if there we could have sort of German or other nations' contribution in that field to our corps area, it would not only emphasize the multilateral international side of it, but it would also bring a militarily significant contribution to the defense.

I say that because my German colleagues once said to me, this brigade as far as he was concerned could be militarily neutral, which means it could be there for political reasons, for the symbolic function, even if the military contribution was zero.

He said it should not be negative, it should not be adding to our burden, so to speak. But he was prepared to consider it even if there was no net gain in the arrangement.

Now, I hope if I am doing something, because we are really in The Netherlands constrained and we will have a problem making ends meet, I hope that when we are doing something it will have a net gain. Do you see what I mean?

Senator **LEVIN**. I very clearly see what you mean. I would hope it would have a net gain militarily as well as politically. If it were neutral militarily, I would be probably content if it had a big plus politically.

Frankly, even if it had a minor military problem—there are some complications to it, obviously—if it had a major political plus in terms of linkage, even then I might favor it, because I think the pluses would outweigh the minuses overall.

So I would not even exclude the possibility, frankly, of a minor military headache if you got a major political plus out of it. I would, emphasize however that I think it has a deterrent effect militarily, as well as a positive political effect, because the Soviets would know.

Dr. **VAN EEKELEN**. They could not single out a particular country.

Senator **LEVIN**. There would be no singularity, to use a bad word. And I consider that to have a major, or at least a significant, military plus. That may be labeled by some political. I would label that military.

So I would want to throw that out, too. But I would welcome, either here or later by letter, any thoughts you have on that, because I am pursuing the idea of that integrated brigade or battalion.

And again, we have that Ace Mobile force, too, which is also an integrated force; it is a bit of a military headache, I think but it is a great political symbol.

Dr. **VAN EEKELEN**. And excellent experience for the people working in it, like sending a naval force to the Atlantic for example. Excellent.

Senator **LEVIN**. That is very important, that experience. I have talked to people all along the front from various countries, and they all tell me that they love working with other nations.

We do have these visits, these partnership arrangements. They all like it. It adds to morale. They know how to use each other's equipment.

And by the way, I'm talking in this integrated force of actually using the equipment of the principal force. I'm not talking about bringing one's own. I'm talking about using what is there.

And the morale factor is a big boost for all of us. Learning a few words, may I say, is a big plus in terms of the relationship.

Dr. **VAN EEKELEN**. In that case, that instance, for example the last Reforger exercise came through The Netherlands largely; it was fantastic, a great experience for everybody.

Senator **LEVIN**. If you have one more minute, I will just ask one more question.

Senator Exon asked you a question which is very important, I think, about linkage, and you answered it in a way I would agree with. You answered it somewhat earlier in a slightly stronger way, and I was wondering if you might want to expand on it.

I will rephrase the question. If we thought that we could get a better conventional deal by either delaying START or by linking the ratification of START in some way to progress on a conventional agreement, I for one would favor such a course of action, because I think the conventional agreement is more important than the START agreement.

I do not want to downgrade START but I would much prefer to have a good conventional agreement than I would a START agreement.

I have a great concern about nuclear weapons. I think we have over relied on them. I favor improving our conventional defense. That is my committee assignment, as well as my philosophical belief. So I say that as one who is very deeply committed to reduction of nuclear weapons.

But I also believe that we have to raise the nuclear threshold and improve our conventional capability. And if it is between the two of them, I would rather have a good conventional deal than a good START deal if I only could have one. That is my own personal view.

I am not so sure your belief would be too much different from that. You said at one point this morning that you thought that linkage would probably result in neither, a START nor a conventional agreement, but you also said that if we did not get a START agreement that we could not expect progress in the conventional arms control area.

I would like you to expand on that just a bit. Why would the linkage actually be negative rather than just not positive? Why would we actually not be able to be as optimistic of progress, to the extent we have any optimism of progress in the conventional area? Why would that actually be set back by linkage?

Dr. VAN EEKELEN. Well, you started with a very big "if." If indeed linkage would produce a better result in the conventional negotiations, then I would probably agree with you. But I do not think the "if" applies. I do not think it will happen that way.

What is the scenario I think is that, in the first place, we will not have a START agreement without acceptable verification provisions. If vertification is not resolved, then we will not have a START agreement. But hopefully then you and all of us will be able to tell our public, we did not succeed because the Soviets were not willing to allow adequate verification.

Some people will disagree with us then, but that is a position I think which we can defend. Of course, we all agree good verification is necessary.

Assuming we have that in START, then I think that verification will be a very important precedent for conventional verification, because it will be very intrusive.

So the chance of having acceptable conventional deals without START, a previous START, I think is fairly small, apart from the overall political climate, because without a START agreement SDI will be hanging over the market, so to speak.

Well, in a START reduction of 50 percent in a way SDI is more significant. If you have some protective measures against 50 percent of what we are having now, the protective measures become more important.

I do not want to meddle in SDI certainly.

Senator EXON. Everybody else is.

Dr. van Eekelen. Well, in any case SDI is potentially a divisive element in the alliance. So I think from the alliance point of view a START agreement has the advantage of putting that off the table. So then we are really united again.

If there is an agreement somehow—I do not know how many years you will grant the Soviets. Well, I am not going into that for development. But basically, that has been resolved.

So then I think we will have in the alliance a tremendous consensus of approach. We have the INF resolved, we have START resolved, SDI is out of the way, thanks to INF the ATBM problem is not acute. So we can all concentrate on the conventional imbalances and have a joint pressure on the Soviets from a good starting position in terms of verification.

Now, again I am not understanding the difficulties in the conventional agreement. But what I fail to see is what advantage holding up START could have on the Soviets, because we are equally—in a way, you could even say, who is more interested in having a 50 percent reduction, the Soviets or the Americans?

I'm not sure. Maybe we are more interested in having the Soviet Union, provided it is in the right context. They have a large number of very heavy ballistic missiles. I think it is probably more in our interest, theirs being reduced.

And then of course, I agree again with you, Senator, there is still a lot left. There are still thousands of weapons left after a 50 percent reduction.

So I think for the unity of the alliance the sequence INF, START, a joint approach on the conventional imbalance, makes sense.

Senator Levin. Thank you.

Senator Exon [presiding]. Doctor, let me say, Dr. van Eekelen, to you and the Ambassador, we appreciate very much your coming. This has been a tremendously interesting discussion.

I just want to close by saying that whether we have more integrated forces, as my friend and colleague from Michigan is working toward—I think we are talking about tripwires more than anything else—on the Armed Services Committee and in America, there is total dedication to the alliance. And the kinds of meetings just bring us to a better understanding of that.

I also want to thank you for your forthright answers to our questions. These are always helpful.

Last but not least, I want you to know that all of us, being typical Americans, are completely fluent in your language and we could have discussed this, all of this, in your native tongue. But I assumed that you wanted to practice your excellent English this morning, so we did not object. But I want you to know that, being typical Americans, we are very fluent in all of the European languages. And since I have made that point, I want to thank you for your graciousness.

Senator Levin. You also should point out, Jim, that our reporter here is doing simultaneous translation. [Laughter.]

Senator Exon. I thought he was speaking English. That is how good she is. [Laughter.]

Thank you all very much.

[Whereupon, at 11:15 a.m., the committee was adjourned.]

NATO DEFENSE AND THE INF TREATY

WEDNESDAY, FEBRUARY 17, 1988

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

CONVENTIONAL ARMS CONTROL

The committee met, pursuant to notice, at 2:04 p.m., in room SR-222, Russell Senate Office Building, Senator Sam Nunn (chairman) presiding.

Present: Senators Nunn, Exon, Wirth, Warner, Thurmond, and McCain.

Staff present: Arnold L. Punaro, staff director; Carl M. Smith, staff director for the minority; Romie L. Brownlee, deputy staff director for the minority; Jeffrey H. Smith, general counsel; Robert G. Bell, Richard D. Finn, Jr., Sherri Wasserman Goodman, William E. Hoehn, Jr., George K. Johnson, Jr., Ronald P. Kelly, James R. Locher III, David S. Lyles, and T. Kirk McConnell, professional staff members; Mary J. Kampo, and Pamela Powell, staff assistants.

Also present: Jeffrey B. Subko, assistant to Senator Exon; Gregory J. Weaver, assistant to Senator Levin; William J. Lynn, assistant to Senator Kennedy; Donald A. Mitchell, assistant to Senator Glenn; Terrence Lynch, assistant to Senator Shelby; William J. Wight, assistant to Senator Warner; Mark J. Albrecht, assistant to Senator Wilson; and Anthony H. Cordesman, assistant to Senator McCain.

OPENING STATEMENT BY SENATOR SAM NUNN, CHAIRMAN

Chairman NUNN. The committee will come to order.

This afternoon the committee turns our attention to the important subject of conventional arms control, particularly in the post-INF period. One of the ironies in conventional arms control is that it was the Soviet Union and its allies in the Warsaw Pact and the Eastern European countries—and not the West—that took the initiative in making far reaching proposals, even though the Warsaw Pact and the Soviet Union enjoyed decisive military advantage in the military arena, at least as far as I am concerned. We must recognize that the root of military instability in Europe lies not in the Warsaw Pact's modest numerical advantage in the troops in the guidelines area. It lies in the Warsaw Pact's capability for a potentially decisive short-warning attack against NATO.

Since the pact's 1986 Budapest appeal, NATO has yet to respond with a bold and innovative proposal of our own. NATO needs to address this matter. I am pleased that some progress is being made in the various capitals of our NATO countries.

We are pleased to have before us today a very distinguished panel of witnesses. Professor Karl Kaiser is the Director of the Research Institute of the German Council on Foreign Relations. Professor Kaiser is a longstanding participant in NATO affairs. We have asked him to provide our committee with an overview of the perspectives of our European allies on how NATO should proceed in the post-INF period, particularly relating to conventional stability talks, or any other subject he would like to address. We are particularly pleased that he is here to give us a European viewpoint and also most importantly a German viewpoint. Ambassador Blackwill was the U.S. Ambassador and Chief Negotiator of the Mutual and Balanced Force Reductions Negotiations from 1985 to 1987. He is now on the faculty of the Kennedy School of Government at Harvard University. Mr. Phillip Karber is vice president of the BDM Corp., has conducted extensive work in the area of conventional forces and conventional arms control.

The committee has already received a useful net assessment of the conventional balance from Mr. Karber in testimony with Ambassador David Abshire, and of course we look forward to his insights in the conventional arms control area.

I welcome each of you today. The committee will hear tomorrow from Dr. Jim Thomson of the Rand Corp. and from Principal Deputy Assistant Secretary of State Charles Thomas on this same subject. Senator Warner.

Senator WARNER. Thank you Mr. Chairman. I have had the privilege of knowing and working with these witnesses through the years. We have picked some of the finest of minds available, and I salute them again for their contribution to public service coming forward today to work with the Senate on this critical issue. Thank you, gentlemen.

Chairman NUNN. Senator Dixon has a prepared statement which will be entered into the record at this point.

[The prepared statement of Senator Alan Dixon follows:]

PREPARED STATEMENT BY SENATOR ALAN J. DIXON

Mr. Chairman, the committee is pleased to welcome our distinguished witnesses, Ambassador Robert D. Blackwill, Professor Karl Kaiser, and Mr. Phillip Karber. I look forward to hearing their views on the conventional balance in Europe and the future of conventional arms reduction talks.

We have heard a great deal of testimony on the superiority in numbers of the Warsaw Pact versus NATO forces. We must reduce this significant imbalance if we are to maintain a credible deterrent capability in Western Europe. Reductions in strategic weapons are critical to reducing East-West tensions. However, as we reduce our nuclear strike force it becomes even more important for the United States and its allies to maintain and upgrade our conventional forces to deter Soviet aggression.

I am especially concerned with our failure to achieve a fair and reasonable agreement for the reduction of conventional weapons. The Soviets have far more troops in place in Central Europe than they possibly need for defensive purposes. We must work to bring about a withdrawal of these forces.

I'm sure our witnesses today can increase our understanding of these complex issues and contribute to the coming debate on arms control.

Thank you Mr. Chairman.

Chairman NUNN. Professor Kaiser, why don't you lead off today. We are delighted to have any comments you may have and then we will hear from all three of our witnesses and then come back for questions.

Senator WARNER. If I might first consult Mr. Chairman.

[Pause.]

STATEMENT OF KARL KAISER, DIRECTOR, RESEARCH INSTITUTE, GERMAN COUNCIL ON FOREIGN RELATIONS, BONN, AND PROFESSOR OF POLITICS, UNIVERSITY OF COLOGNE

Mr. KAISER. Mr. Chairman, Mr. Vice Chairman and members of the committee. It is an honor and great pleasure to appear before this committee which has played such an important and constructive role in the history of the Western alliance. I would like to congratulate you and note it as particularly significant that in deliberating on an issue that is of importance to the alliance as a whole that you have asked Europeans to share their thoughts with you.

With conventional arms control, the alliance returns to the very issue that has been at the origin of its creation, namely the danger of conventional aggression. It is true that nuclear weapons have dominated the public debate in the last years. But if war ever starts, it is not likely to start as a nuclear war, it is likely to start as a conventional war, which might then trigger nuclear war.

In other words, we are going back to the central issue of European security. Now, the conventional and the nuclear element in flexible response, the strategy of NATO form an organic whole. If you do significant things in one area, it is going to have repercussions in the other. And that is one of the points that seems to me of particular importance in the coming years.

What are the new factors to consider as we are entering a new round of conventional arms control? First of all, unlike MBFR, we are now having a new leadership in the Soviet Union which is committed to radical reform, that requires the avoidance of outside conflict, that wants to shift greater resources to the civilian sector, and that desires to have a somewhat more harmonious relationship with its allies. All these three factors are relevant in connection with conventional military forces.

Therefore, conventional arms control in the forthcoming years is a process which will profoundly affect the political order in Europe.

Second, it seems to me that we have to keep in mind that the new round of conventional arms control takes place after the INF agreement has been signed, and amidst its implementation. Now, it is my opinion that this agreement serves the security of the West and I wholeheartedly support it. Its nonratification would be in my opinion a major disaster. You would unleash a deep crisis in alliance relations. It would abruptly halt the visible progress in East-West relations, and it might possibly undermine the position of a Soviet leadership with which we could conceivably do important business in the coming years.

But the fact remains that this INF agreement does change certain factors. Both sides have thereby given up important options for nuclear strike. NATO loses certain land-based options to strike Soviet territory. It is, therefore, my opinion that, given these circumstances, we have to handle very prudently the remaining nuclear capacities, and to treat that handling as a necessary corollary of conventional arms control.

A third factor is important here. Soviet policy on on-site verification has changed profoundly. And through that change, the Soviet Union has removed what was one of the most important obstacles to progress in arms control and disarmament after World War II. That opens, indeed, new prospects for conventional arms control.

Nevertheless, we do not know how far the Soviet Union is willing to go. After all, in the conventional area, she has to give up what is a significant advantage. And second, she has to accept a degree of intrusive verification as we have not seen it before and which will have to go much beyond what has been agreed upon in the Stockholm agreement on confidence building measures and in the recent INF agreement.

If we look at the relationship between conventional arms control and nuclear arms control, there are several points of particular relevance. The West has achieved consensus that nuclear weapons should not be included in the mandate for conventional stability negotiations that is now being debated in Vienna.

I can see, however, two different schools as to the relationship between the conventional and the nuclear field. There is one school of thought predominant in the United States and in the United Kingdom which argues there should be nuclear arms control only after the conventional balance has been achieved, and in the meantime the Montebello decision of 1983 on modernization should be implemented. There is a second school of thought predominant in the Federal Republic of Germany and practically shared by all German parties that further steps should only be undertaken within the context of a comprehensive approach that deals with all the different aspects, modernization, nuclear arms control, as well as conventional arms control.

Now, should we proceed with nuclear arms control only after conventional balance has been achieved? That would make sense if nuclear weapons had only the function to compensate for Warsaw Pact conventional superiority. Indeed that conventional superiority does increase and it seems to me that our dependence on the use of nuclear weapons as a result of that is increasing.

However, that argument about waiting until balance is achieved overlooks that nuclear weapons have another function, namely to deter war as such and to do that even under conditions of conventional balance. Precisely after the INF agreement it seems to me that particular care must be taken to preserve a functioning flexible response in that function, to prevent any kind of war.

Now to postpone that task may very well aggravate the problem. In other words, flexible response may lose its flexibility.

Second, the prescription to postpone nuclear arms control until after conventional balance has been achieved may very well be a prescription for inaction, because it may take a very long time until a balance is achieved that satisfies NATO.

And finally, given the fact that land-based short range missiles have to face a crushing Soviet superiority of about 14 to 1, we do face right now, not in the future, I mean after the implementation of the INF agreement, a problem of self-deterrence. Once that superiority is there, after the implementation of the agreement, Western decision makers in facing the problem of the first step of escalation, will have to consider that crushing superiority and may hesitate. So if that becomes a certainty, a zone of guaranteed conventional war fighting, would emerge, which would undermine deterrence.

So all of that amounts to saying that we cannot postpone that issue. Therefore, I would argue that a reinterpretation of the Montebello decisions of 1983 is called for.

In 1983, nobody could foresee that an INF accord as it has now been concluded would come into existence, particularly an accord that would include weapons down to a reach of 500 kilometers. What is left after that accord are two ground based systems, Lance, facing that Soviet superiority that I mentioned, and nuclear artillery. And nuclear artillery has practically no political function and—that is practically a consensus of most military commanders—only a highly doubtful military function.

Therefore it seems to me that the Montebello decision of 1983 is inadequate to maintain a flexible structure for the valid strategy of NATO. On top of it, the Federal Republic of Germany carries a disproportionately high share of the risk for the low level and the first stage of response in nuclear deterrence. Now, I do not share what has sometimes been said that Germany is singularized. I do believe that is a myth because there are others who share that risk. Nevertheless, the fact remains that most shorter range weapons happen to be in Germany or will be used on German territory.

We must keep in mind that in a democracy, elected politicians can only demand a sacrifice from the voters if they have shown and proven that they have explored all other available avenues to minimize the risk of the voters. In that sense, allied legislators are in a somewhat easier position than their German colleagues. It is in nobody's interest that nuclear deterrence suffers insofar as its legitimacy is concerned in Germany. The opposite should now be the case, namely to maintain and strengthen a minimum nuclear deterrence in a post-INF world.

Now what could be the elements of a comprehensive approach that deals with all these problems? We should above all, resist any tendency to achieve a "triple zero-solution", which is advocated by a number of European and Americans, and definitely by Secretary Gorbachev, who wants the denuclearization of Western and Central Europe, which would bring to bear the conventional and geopolitical advantage of the Soviet Union, while maintaining all nuclear options of the Soviet Union in dealing with Western Europe, including strategic weapons that can be used in a tactical mode.

Therefore, the notion of the denuclearization of Europe is a false one. It really means that only Western and Central Europe is to be denuclearized while maintaining all Soviet options. For that reason, it is a very doubtful proposition.

What could be the elements of a comprehensive approach? First of all the idea and the principle advanced by the governments vis-a-vis their publics that even under conditions of conventional balance, which we still have to achieve, we need a minimum nuclear deterrence.

Second, that the Montebello decision will be enlarged to define the elements of a minimum nuclear posture, so to speak the bottom line of flexible response. What could these elements be? First a modernization of Lance in its present numbers; second, adequate aircraft with modern penetration technology, plus stand off weapons to reach Soviet territory, and third, the assignation of a small number of air launched and sea launched cruise missiles to SACEUR.

Third, such a comprehensive approach should contain an arms control proposal that consists, first, of the elimination of all remaining nuclear artillery shells—and that in full awareness of the fact that such an agreement cannot be verified in a perfect fashion.

And second, the elimination of the existing East-West disparity of ground based missiles under 500 kilometers down to the level of Lance of today. We should, however, guard ourselves against a linkage between Lance modernization and the negotiations on an equal ceiling in order to avoid a Soviet *droit de regard* on the modernization of Lance after she herself has achieved a degree of modernization of her SNF systems which Lance still has to achieve.

Nevertheless, there should be some loose link between nuclear arms control and modernization on the one hand, and conventional arms control on the other. It should be a real but flexible link. We should not include that link in the Vienna mandate, but the West should make a political offer to the East that after some initial and real progress in the negotiations there should be negotiations on the systems.

With regard to conventional arms control that is supposed to increase stability I would like to refer the committee to my statement and the problems that I have discussed there, in particular the difficulties that both East and West will face. Let me mention only one point here, that it is most important that the Soviet Union is tested on its declared willingness to reduce forces asymetrically. This is indeed the true test, to see whether Gorbachev's new policy can be implemented in particular vis-a-vis his military. Whether he will do it we do not know, but there is some reason for hoping that he will do so.

Finally, let me stress that, since the measures of reduction, redeployment, dissolution, the appropriate verification measures are extremely complex and take a long time to realize, and since there is a great deal of divergence of views within the West, it might be an idea to focus not necessarily only on the ideal, but on the feasible.

In that connection I would like to propose four ideas. A case can be made for discussing military doctrine at the very beginning of negotiations in order to identify the threats and to identify possible problems for later negotiations. Such discussions could start soon with the double purpose of demonstrating to our own western public the disparity between the defensive claim and the offensive reality of Warsaw Pact doctrine, and with the second purpose of exposing the Eastern elites to a critical analysis of that doctrine, hoping that it may have a marginal impact on those who want to change their doctrine and want to stop the enormous waste of resources due to the military overarmament of the Soviet Union in the past. NATO has nothing to fear from such a process.

Second, even if we are unable to reduce forces in the near future, given the complexity of the problem, we could start to negotiate about confidence building measures, and impose them on top of the existing East-West military constellation, that is to say measures to increase transparency and calculability. Therefore they might have a positive impact on stability in Europe. In any case, they might prepare the type of intensive and intrusive verification that we will need later on once we actually reduce.

Third, it seems to me worth considering an agreement to equalize the level of arms production. Even if we are unable to reduce forces at the moment, we might start at the production end, because in this area, there are striking disparities between Eastern and Western production. Entire NATO produces only 40 percent of what the Warsaw Pact produces in main battle tanks. In multiple rocket launchers, to give another example, the West produces 27 percent of what the East produces.

Whatever we may say about the nature of the balance—and much disagreement can be observed—one thing is for sure: the trend, if we look at arms production, continues to be unfavorable to the West. So if we are able to achieve an agreement in some of those areas, we might make progress.

And finally, even if we are unable to have complex packages of reduction, withdrawal, or dissolution of arms or units, there might be some measures that are sufficiently simple and yet effective with regard to increasing military stability that could be implemented in the future.

One of those measures are the proposals by my friend and colleague Phil Karber, and I presume that he will explain them to the committee later on. Another of these proposals has been made by the chairman of this committee which has the advantage to reduce asymetrically in the kind of ratios the West needs and to have a real impact on the Soviet presence in the center of Europe. However, it will have to address certain problems, notably how to fill the gaps that a removal of American troops will create in certain parts of the front line, and in reassuring the German public that a reduction of the American presence along with the reduction of the Soviet presence does in no way represent any decoupling or weakening of U.S. resolve to honor her alliance commitments.

So Mr. Chairman, in concluding let me say that for the first time, the alliance has a chance for substantial progress on an issue which was at the origin of its creation, namely military stability in Europe, since changes have occurred in the East.

Second, we may be able not only to lower the cost of modern defense, but, more important, to stabilize a constellation which could conceivably be the course of nuclear conflict.

Finally however, conventional arms control could be counterproductive and in fact undermine Western security unless it is undertaken within the context of a more comprehensive approach of the alliance that creatively combines the preservation of an adequate minimum of nuclear deterrence and flexible response in Europe with improvements in conventional stability through the forthcoming East-West negotiation. Thank you very much.

[The prepared statement of Mr. Kaiser follows:]

Objectives, Concepts, and Policies for Conventional Arms Reductions

Karl Kaiser

I. The Centrality and Ramification Potential of Conventional Arms Control

The purpose of preventing and countering a Soviet conventional aggression has been the main driving force behind the establishment of NATO in the 1940s. The primacy of that purpose has not changed since then. For citizens in the two superpowers, in particular Americans, that primacy may not be as obvious today as it was then. To them conventional war is a geographically distant and rarely considered eventuality, whereas nuclear war and its prevention is the dominant subject of their preoccupation and the public debate. Even in Europe there are many who have been so overwhelmed by the awesome destructiveness of nuclear weapons that they tend to underestimate the dangers of conventional war.

But to the overwhelming majority of Europeans and to the political forces determining Alliance policy, the problem of conventional aggression is the central and immediate issue. If ever war were to start, it would begin not as a nuclear war but as conventional aggression in Europe. Not unlike the 1940's the Soviet Union continues to have the capacity for strategic conventional offensive along the NATO-Warsaw Pact border. Consequently Europeans have every reason to be most concerned with the eventuality of becoming the victim of conventional aggression which in turn would be the only event that could trigger nuclear conflict. Though the probability of conventional war in Europe is extremely low or nil today, the future inevitable remains uncertain. Conventional arms control, were it to be successful, would therefore address the central problem of European security that has plagued the alliance for four decades.

Within NATO's strategy of flexible response the conventional and nuclear dimensions form an organic whole. In such a system of interaction changes in the conventional sector will spill back into the nuclear sector. If conventional arms control fails to reduce the East's conventional superiority, given present conditions of the Warsaw Pact's superior arms production, the West will become even more dependent on nuclear deterrence. Should nuclear disarmament be successful, the elimination of the Eastern capacity for strategic conventional offensive becomes even more imperative.

II. The New Context of Conventional Arms Control

1. The forthcoming round of conventional arms control will take place under conditions totally different from those of its unsuccessful predecessor, the MBFR negotiations. Within the Soviet Union a new leadership is committed to radical reform that requires avoidance of external conflict, greater resources for the civilian sector, and a more harmonious relationship with the members of its empire. Fore each of these three areas Soviet conventional forces are crucial. Conventional arms control, therefore, inevitably carries with it potentially profound implications for the political order in Europe.

2. The delegitimization of nuclear deterrence has been going on for several years. The political forces working in this direction span the entire political spectrum and range from President Ronald Reagan (in justifying SDI), the Catholic Bishops of America, the anti-nuclear protest movements of Western Europe to Gorbachev's campaign for "New Thinking" and the elimination of all nuclear weapons until the year 2000. A reversal of values becomes apparent which replaces the priority of war prevention as a consequence of the incalculable risk of nuclear weapons by the priority of damage limitation dictated by the enormous destructiveness of nuclear weapons. In this context a more probable conventional war becomes more acceptable than an improbable nuclear war. Conventional arms control must, therefore, take into account that a delegitimization of nuclear deterrence makes the conventional field the decicive arena for stability in Europe, i.e. the very area where the West suffers a structural disadvantage. For this very reason such a delegitimization is not in the West's interests.

3. The new round of conventional arms control will take place after the conclusion and amidst the implementation of the INF-Agreement. As its result both sides have given up important options for nuclear strike. Though the agreement has not undermined NATO's strategy of flexible response, the West does give up important nuclear options of its land based nuclear arsenal to strike Soviet territory as part of its posture aimed at deterring aggression. Under theses circumstances a prudent handling of the remaining nuclear capacities becomes even more important as a necessary corollary of arms control negotiations in order to

maintain stability in Europe.

4. During the entire post war period obstinate Soviet opposition to meaningful verification through on site inspection has been the most important obstacle blocking progress in disarmament and arms control. With the Stockholm agreement of 1987 on Confidence Building Measures and even more so with the Washington Treaty on INF the Soviet Union has at last created one of the preconditions for new agreements by accepting on site inspection.

Whether the Soviet Union is willing to continue travelling on this road remains to be seen. After all, whereas the INF deal carried with it significant advantages for the Soviets worth substantial concessions, conventional arms control requires that the Soviet Union abandons an advantage, surely much appreciated and acquired at tremendous cost, namely conventional superiority in Europe. Only the future will show whether she is willing not only to make that consession but to accept a kind of verification which in the case of conventional arms control must be significantly more intrusive than it has been agreed upon for the INF Agreement.

III. The interaction of conventional and nuclear arms control.

Although it is common knowledge that the conventional and nuclear sector are closely interrelated within NATO's strategy of flexible response, there is considerable disagreement within the Alliance about how to treat that interconnection in the arms control process. Consensus exist in one important point, that nuclear weapons and carrier systems (including dual capable systems) should not be dealt with in the Vienna talks on a mandate for negotiations on conventional stability. But that is where the agreement ends.

With regard to the ongoing discussion about how to relate conventional and nuclear arms control to each other two schools of thought appear to be of particular importance. The first, predominant in American and British thinking, suggests that further steps of nuclear arms control should be undertaken only after conventional balance has been achieved through negotiations and that in the meantime the 1983 Montebello decision of NATO about the modernization of shorter range nuclear weapons should be implemented. Another school of thought predominant in the Federal Republic of Germany argues that measures should be taken only on the basis of a comprehensive concept to be worked out that encompasses both modernization and arms control in the nuclear field in connection with steps in the conventional area.

1. Nuclear arms control only after the achievement of conventional balance?

At first sight the proposition, as enunciated e.g. by President Reagan, to wait with further reductions of short range nuclear weapons until conventional balance is achieved, appears convincing. It was one of the functions of nuclear weapons to compensate for the conventional superiority of the Warsaw Pact which the West could not and did not want to match since the 1950s. The result is known: The East armed itself into a status of conventional military superiority and relative economic poverty whereas the West relied on nuclear deterrence and thereby bought social and economic progress. Moreover, given growing budgetory constraints for conventional armament in NATO and the continued superiority of Warsaw Pact production of armament, the West's dependence on the deterrence function of nuclear weapons has actually increased.
Would it not make sense under these circumstances to insist on the recreation of conventional balance? Such an argument overlooks that shorter range nuclear weapons not only have the function of compensating for Eastern conventional superiority but, more important, to deter war as such, even under conditions of conventional balance. In this connection the INF Treaty is relevant. Since it removed specific nuclear options at the very moment when the West's reliance on nuclear weapons increased as a result of a deteriorating conventional balance, care must be taken that an adequate and minimal structure of flexible response is preserved under these circumstances. To postpone such a task until conventional balance is created actually aggravates the problem.

Moreover, to make nuclear arms control dependent on conventional balance may well be a prescription for inaction. As will be shown later, the difficulties that have to be overcome to produce the kind of balance which satisfies NATO's needs, are simply enormous. Negotiations on conventional arms reduction will take a long time before substantial results can be achieved. Finally, after a withdrawal of the land based systems according to the INF Agreement the Warsaw Pact will retain a 14:1 superiority of land based missile systems with a reach of less than

500 kilometers. In view of this superiority Western decision makers are likely to suffer from "self-deterrence", since they would face the prospect of triggering an immensly destructive strike with superior tactical weapons of the Soviet Union if ever they were to make the first escalatory step. If their reluctance to escalate were to become a reasonable certainty, a zone of non nuclear war-fighting would be created which would allow the Warsaw Pact to bring its conventional superiority into play and in which relatively calculable risks could make war more probable.

2. Re-interpretation of the Montebello decision

At the time of the Montebello decision it was highly doubtful whether an INF Agreement would be concluded, notably one that would actually achieve a zero level of systems down to a reach of 500 kilometers. In the meantime that agreement is a reality and has changed the context of the Montebello decision. After the implementation of the INF Agreement, NATO's option for a low level nuclear reponse by ground based systems is confined to LANCE which faces a crushing superiority on the other side and to nuclear artillery. The political function of nuclear artillery in escalation is almost nil and its military value on the battlefield is doubted by almost all field commanders. The Montebello decision is therefore inadequate if NATO is to recreate a certain flexibility in nuclear options, notably a nuclear capacity that can affect vital interests of an aggressor.

Finally, the Federal Republic of Germany would carry a disproportionately high share of the risk of a low level nuclear response. To be sure, the "singularization" of the Federal Republic is a myth, since others carry a nuclear risk as well, but the fact remains that most of the remaining weapons of shorter range are either on German soil or are likely to hit German territory. In democracies elected politicians can ask their voters to make a sacrifice only if they present a convincing case that minimizes their threat and proves that they have explored every other available avenue to maintain security. It is easy for Allied politicians to accuse their German counterparts of being difficult or dragging their feet, for most of them do not have to face a reluctant electorate on these issues. Surely, nobody can be interested in undermining the legitimacy of nuclear deterrence in Germany when the task must be the opposite: Maintain and strengthen a minimum nuclear deterrence in a post-INF-world.

3. Toward a comprehensive approach

The ongoing nuclear disarmament must not slip into a "triple zero". Such a solution would be supported by the existing anti-nuclear groups in Western Europe who, encouraged by similar proposals from Gorbachev, aim at the total elimination of all nuclear weapons from Western and Central Europe. Such a course would find the support of those conservative and liberal Americans who feel uneasy about extended deterrence and would like to confine the American nuclear posture to a purely strategic one. Naturally such an outcome would be vigorously sought by the Soviet Union whose strategic goal has always been to eliminate nuclear weapons from Central and Eastern Europe. Such a state of affairs would bring to bear its own conventional superiority and geopolitical advantage without in any way relinquishing the threat of its own strategic nuclear weapons which can be directed at any point in Western Europe in a tactical mode (e.g. through the SS 24). A triple zero solution would, therefore, fundamentally undermine West European security. For these reasons neither the coalition partners of the German government nor most other Allied governments support such an outcome. A comprehensive concept could consist of 3 elements -- first, the Allied governments must make an effort to restate [redacted] vis-a-vis their democratic publics that even under conditions of nuclear and conventional disarmament an adequate minimum deterrence remains imperative. Though conventional disarmament would decrease dependence on the use of nuclear weapons, it would not eliminate the need for nuclear deterrence, for its purpose remains to prevent war as such by introducing an incalculable risk to a potential aggressor. The minimum nuclear posture must be made independent of developments in conventional arms control.

Second, the Montebello decision should be enlarged in order to define the minimum elements of a nuclear posture in Europe. Such a bottom line of flexible response would consist of a modernized version of LANCE in its present numbers, adequate aircraft capacity with modern penetration technology in combination with a new stand-off weapon that can reach targets within the Soviet Union, and the asignation of a small number of sea-based and air-launched cruise missiles to SACEUR.

Third, such a modernization should be pursued in conjunction with negotiations on American and Soviet nuclear systems with two purposes:

First, an elimination of all nuclear artillery shells from Central Europe, i.e. the weapon system that is militarily the least useful and politically the most burdensome to legitimacy of nuclear deterrence in Germany. This should be done in full awareness of the limited verifiability of such an agreement. If nuclear artillery is militarily of almost no value to Western commanders, the same must be true for their Eastern counterparts. Second, the present disparity of short range nuclear missiles with a range below 500 kilometers should be negotiated down to the Western level.

Though the modernization of nuclear weapons and further nuclear arms control should be seen and treated within a comprehensive concept, linkages should be avoided which give the Soviet Union a droit de regard with regard to LANCE modernization, after having completed that process for her own systems. As for the link between nuclear modernization and arms control on the one hand and conventional arms control an the other there should be a connection which is real and yet flexible at the same time. Without explicitly addressing this question in the mandate for conventionial stability negotiations the West should communicate to the East its willingness to negotiate nuclear weapons in a new forum after conventional arms control has made some initial and real progress.

With regard to timing the West would be ill-advised to proceed with unnecessary haste. The INF Agreement will take years to be implemented so that the Eastern superiority of missiles with a reach of less than 500 km will become a problem only in the 1990's. Nor is there a modernized alternative to LANCE available to justify an intra-Alliance controversy on modernization at this stage. Consequently NATO has ample time to work out a comprehensive approach.

IV. Problems of conventional arms control

1. Improving stability

As the West enters a new round of conventional arms control the obvious deserves restating: Military stability will not only be created by arms control but also by defense improvement. Considerable energies and resources are spent on improvement as a routine matter. It goes without saying that they should not only continue but should be subordinated to the same principle that guides arms control, i.e. augment military stability. That applies in particular to equipment and technics that strengthen the defensive side of the military equation.

Though MBFR negotiations never produced a concrete result they did provide an important learning experience to both East and West. Its results are reflected in the consensus which unites the members of the Alliance with regard to the goals of the forthcoming negotiations. The central notion is stability, the dangers to be eliminated: existing capacities for short warning attack and for initiating large-scale invasion. It is interesting to note that in the ongoing Vienna negotiations on a mandate for military stability talks East and West do not disagree any more about the basic goals, and not even on the abstract enumeration of methods to achieve them, such as reductions, limitations, redeployment provisions, equal ceilings and related measures. The difficulties will arise when concrete packages are to be negotiated by implementation.

For NATO the Warsaw Pact's conventional superiority resulting in a capacity for surprise attack and invasion, represents the most important problem. Consequently asymmetrical reductions are an essential and indispensable element of a meaningful approach to increase stability.

According to a RAND study (James R. Thomson and Nanette C. Gantz) a reduction in division equivalents in favour of NATO would substantially worsen NATO's situation unless the ratio reaches 4:1. If such ratios are denounced by the Soviet Union as excessive, Western governments must remain firm and point to the military realities of unnecessary and excessive build-up on the Soviet side during the last decades. In this connection a return to the well proven concepts of common ceilings is advisable.

Not only can it be justified more easily in the political process but also provides a more objective criterion. However, common ceilings as such need not yet be a guarantee for stability, because they could hide a forward deployment of highly offensive capacities. Consequently the notion of equal ceilings must be implemented in the context of other measures that make sure that it increases stability.

Although negotiations will have to deal with a wide variety of approaches they should concentrate on those dimensions where measures have the highest impact on reducing the capacity to conduct large scale offensive action. Consequently two elements should be at the center of Western preoccupation: The elimination of those weapons' systems which are particularly threatening for offensive purposes, in particular tanks and artillery and, second, the Soviet Units, since, for political and military reasons, they reprensent the threat that NATO has to worry about and not the Soviet allies. That requires proposals that eliminate weapons systems suitable for offensive actions and concentrate on reducing the disproportionately high share of Soviet forces in the Warsaw Pact forward deployed armed forces.

2. Problems within the West

The recent intra-Western disagreements concerning negotiating methods, i.e. the problem of the inter-alliance and the CSCE framework of negotiations, are likely to appear trivial in comparison with the divergencies which will probably emerge once NATO moves beyond the present agreement on general principals, such as stability, invasion capacity etc. and attempts to work out practical proposals which translate them into reductions, force redeployments, geographical zones, verification schemes etc. Differences of opinion could quickly come into the open if the Soviet Union were to seize the initiative and present proposals before the West has worked out a practicable negotiating strategy. In such a case a superficially attractive offer with an asymmetric reduction, which is presented as fair and possibly even accepted as such by many groups in the Western public, could reduce the chances for working out sensible solutions that could increase stability.

Consensus on reducing the invasion capacity of the Warsaw Pact has to be translated into agreement on what types of weapons should be reduced first and in what order of priority. The East and Gorbachev personally have agreed to the principle that defense should be "non-offensive" meaning that there should be no capacity for strategic offensive (which is the intended meaning of the somewhat ambiguous term of "structural incapacity to attack" popularized by the Social Democratic Party of Germany, which does not want to advocate the elimination of tactical attack capabilities so essential to any defense). The packages to be worked out to achieve a superiority of defense over offense have to combine many different elements: quantity and quality of weapons, training, combat readiness etc. Many weapons can be used both for offense and defense, and whether they can be used in one or the other mode depends on numerous other factors that have to be taken into account. For the time being opinions differ considerably on these questions both within the West and between West and East.

The disaggregation in geographic zones will no doubt represent another difficult problem. Such a disaggregation is a prerequisite for restructuring the military postures of both sides according to agreed criteria in order to maintain adequate defense without providing capacities for offense and invasion. But any geographic disaggregation creates differences in status of those zones and therefore raises delicate political problems, e.g. for a country in which reductions take place (like Germany), and countries that have to receive redeployed units or material (like the Benelux or France).

France will have the special problem of being forced to make up its mind about the status of its territory if redeployment schemes in negotiations require the availability of French territory for units or weapons. Moreover, both France and the Federal Republic of Germany will no doubt want to avoid that measures in the field of conventional arms control impede their effort to build a stronger mutual security relationship.

Verification will be another difficult problem to be approached. Since the formulas of reduction, restructuring or redeployment of forces will inevitably be complex, they require an intensity of intrusive verification that will be without precedent in the history of arms control. How far one can go is above all an Eastern problem, but the West may have problems with it as well

3. Problems within the East

Soviet troops have always had a double function in Eastern Europe. They are a factor of defense and offense opposing the forces of NATO and, secondly, a policing factor guaranteeing Soviet dominance in its sphere of influence. Significant reductions which are bound to affect Soviet troops more than those of its allies are likely to affect the internal policing role. While the West has an interest in seeing that role reduced this factor cannot be introduced explicitly into the East-West arms control negotiations. The evolution of the internal structure of the Warsaw Pact will greatly determine the relevance of this question. Moreover, as the 1981 Polish crisis has shown, Soviet troops can play their hegemonial role within the Warsaw Pact system without being inside the territory of the country in question. In the last analysis the relevance of this factor in forthcoming negotiations on conventional arms control can only be decided by the Soviets themselves.

Whether the Soviet Union will accept sufficiently asymmetrical reductions remains to be seen. Though the principle has been accepted by Gorbachef in a speech on 10 April 1987 and at the Warsaw Pact Summit in May 1987 the long history of MBFR gives no clue whatsoever as to a willingness to practically proceed in that direction. What reasons could induce the Soviet Union to give up a significant military and political advantage? The list is only moderately convincing:

First, such asymmetric reductions would lead to savings of resources, but that is only true in the very long run, since initially conventional disarmament will absorb additional funds for the re-direction of personnel as well as investments for the conversion of armaments industry.

Second, such a movement would no doubt have a positive impact on the world and improve the standing of the Soviet Union.

Third, Gorbachev could use external success to boost his image and position at home in a difficult process of internal reform. Finally such asymmetrical reductions might conceivably be facilitated if there is a reasonably good climate in East-West political and economic relations which the Soviets would like to encourage.

V. Towards a Feasible Approach to Conventional Arms Control

Even a superficial look at the issues of the forthcoming round of conventional arms control reveals the extraordinary complexity of the issues to be negotiated, even if they are broken down into smaller components of negotiation, such as reduction packages, verification measures, thinning out moves etc. Moreover, each item is interconnected with many other sensitive areas. Within the West views differ on many important issues. It can, therefore, be predicted with reasonable certainty that it will take a long time before the first substantial agreements can be concluded between East and West in this field. The question therefore arises whether one could not organize an approach to negotiations according to feasibility and practicability of progress and proceed accordingly in succeeding phases.

1. A Discussion of Military Doctrine

A first phase of negotiations could consist of a thorough discussion of the military doctrines of both alliances. Several practical reasons speak for such an approach. First, such a round in which both military and diplomats take part, could lay the groundwork for later negotiations on specifics by analyzing thoroughly which threats each side perceives with regard to the military posture, procedures and doctrine of the other. By identifying the central elements of threats, important criteria and priorities for the ensuing negotiations could be identified. Such discussions can, thirdly, be started without being forced to overcome the numerous divergencies of views within the West and can, therefore, begin reasonably soon.

Moreover, such discussions have eminent political reasons. First, they are directed at the Western public besides clarifying the issues at the negotiating table. A review of the military doctrine offers the opportunity to bring into relief the striking disparity between the defensive claim of the Warsaw Pact's doctrine and the offensive reality of force ratios, force structure, training and readiness. A review of these issues will lay the ground for a better understanding of Western publics - not only of the general issues but in particular of the necessity for asymmetric reductions.

Such a discussion is, secondly, likely to have an impact on the East as well. Not only are some of the public arguments carried into the East with the potential of a moderate though not insignificant impact, but, more important, the participating elites will be exposed to a critical analysis of their own doctrine and posture. Conceivably such a process may help those forces in the Soviet bureaucracy willing to challenge military orthodoxy and its tremendous political and economic burden for the Soviet Union.

Some argue against such a discussion of doctrine on the grounds that it will either be used by Soviet propaganda to denounce NATO's policies, such as FOFA and first-use of nuclear weapons, or that it will result in a confrontation of irreconcilable views on military data worse than that experienced during MBFR. However, NATO has nothing to fear from such a debate. By now the alliance is used to controversy about its policies which, after all, enjoy clear political support by the participating countries. NATO has a good case in comparing Eastern and Western military doctrine. Finally, only a test will show whether or not a discussion will get bogged down in disagreements on data and whether or not Gorbatchev's glasnost policy will have its impact here as well.

2. The Priority of Confidence-Building

Even if East-West measures on military hardware or troops are difficult and time-consuming to agree upon, a lack of success in this area need not prevent progress in the realm of confidence-building. New measures of confidence-building could superimpose greater transparency on the existing military set-up in East and West with all its asymmetries so that both sides can become confident not to be the object of surprise moves or disadvantageous changes in military strength.

Such confidence-building measures could consist of a further intensification in scope of the measures agreed upon at the Stockholm Conference in 1986 by creating a dense network of observation on both sides of the East-West border, notably in Central Europe. Such measures could cover both manoeuvers and all movements of troops and material.

Confidence-building measures as an opening of a new round of conventional arms control in Europe would have the net effect of increasing stability even without reductions, would lay the groundwork for the relatively dense network of verification that has to accompany later reductions or redeployment measures and would hopefully create a political atmosphere conducive to more far-reaching measures of conventional arms control.

3. An Agreement on Equal Levels of Arms Production

Agreement on military data, not to mention reduction and redeployment formulas will be difficult and time-consuming. If the asymmetries which the West is rightly concerned about cannot be reduced quickly, one can at least try to prevent them from getting worse in a parallel action.

Taking the average of 1984-1986 production of both alliances in military equipment particularly relevant for the conventional posture in Europe and consequently for stability, the following picture emerges:

Category	NATO as a % of Warsaw Pact
Tanks	40
Other Armoured Fighting Vehicles	55
Towed Field Artillery	21
Self-Propelled Artillery	19
Multiple Rocket Launchers	27
Self-Propelled AA Artillery	24
Towed AA Artillery	4
Bombers	18
Fighters	79

(Source: Department of Defense, Soviet Military Power, 1987, p. 122)

An agreement to reduce - possibly in phases - the production of military equipment to roughly equal levels would circumvent the inevitably controversial discussion on what forces exist and where (though that has to take place when reductions and redeployments are negotiated) and instead focuses on future outcomes. Verification is relatively easy since it need not cover large areas but only the exit points of production.

The fact that it is Soviet production that has to go down substantially not only underscores the Western point about excessive military over-insurance of the Soviet Union in the past but may be attractive to those forces in the Soviet elites who want to liberate themselves from the tremendous economic cost of that unnecessary over-insurance.

The proposal to lower arms production to agreed levels has been countered with the argument that such an agreement cannot be regionally confined. Some countries, like the Soviet Union, the United States or France produce weapons for export to countries outside the East-West conflict. Such a constellation, the argument runs, makes production limitations between East and West impossible. A closer analysis, however, reveals that there are a number of weapon systems which are not exported at all or not in significant numbers to countries outside the East-West constellation. These weapons happen to be crucial for military stability between East and West. They include the advanced version of battle-tanks, multiple rocket launchers, self-propelled anti-aircraft guns, and bombers. An agreement between East and West is, therefore, possible with regard to weapons which are, in fact, only produced for use within each alliance.

4. Key Measures

A discussion of military doctrine, new confidence-building measures, and an agreement to scale down asymmetries in production could be the elements of a first phase of conventional arms control to be followed by carefully worked-out and inevitably complex packages of reductions, redeployments etc. Nevertheless an attempt could be made to identify approaches that are simple, feasible, and affect conventional stability favourably. Such measures could be initiated relatively early. They could include proposals such as that of Senator Sam Nunn to reduce equal percentages of American and Soviet troops in Germany or Phil Karber's suggestions to phase out tanks to roughly equal levels in the Central front area.

The proposal of Senator Nunn would have the great advantage of producing the kind of asymmetric reduction (approximately 4 : 1) indispensable for NATO security and of increasing stability by concentrating on armoured units. If such a proposal can be implemented an effort would have to be made within NATO to reorganize the front line in Germany to avoid the creation of weak spots in the area of the United States's corps. Moreover, the public must be politically prepared that such a withdrawal of U.S. troops, following the return of several thousand U.S. soldiers as a result of the INF Agreement, would not represent any decoupling or weakening of U.S. resolve to honour her Alliance commitments.

Conclusion

As a result of changes of policy within the Soviet Union the Alliance may possibly for the first time have a chance to make substantial progress on an issue which was at the origin of its creation: military stability in Europe.

In exploiting that opportunity NATO may not only be able to lower the cost of modern defense which it finds increasingly difficult to bear, but, perhaps even more important, to stabilize constellations which could be conceivable causes of nuclear conflict.

However, conventional arms control could be counterproductive and undermine Western security unless it is undertaken within the context of a more comprehensive approach of the Alliance that creatively combines the preservation of an adequate minimum of nuclear deterrence in Europe with improvements in conventional stability through East-West negotiations.

Chairman NUNN. Thank you very much Professor Kaiser for a very interesting and helpful statement in getting your perspective, and I am sure the perspective of many people in your country.

Ambassador Blackwill.

STATEMENT OF ROBERT D. BLACKWILL, LECTURER IN PUBLIC POLICY, JOHN F. KENNEDY SCHOOL OF GOVERNMENT, HARVARD UNIVERSITY

Ambassador BLACKWILL. Thank you, Mr. Chairman. I want to thank you and your colleagues for having me here today. I would like in the next few minutes to briefly touch on three subjects. One, Soviet objectives concerning conventional arms control, two, Western conventional arms control objectives and possible NATO proposals, and three, problems which Karl just mentioned a few moments ago associated with shorter range U.S. nuclear weapons in Europe.

But let me say at the outset that I believe, as Karl does, that the Soviets enjoy significant conventional advantages on the continent today. I also noted your speech Mr. Chairman at Wehrkunde which drew what I regard as the proper conclusions with respect to what NATO needs itself to do about that quite apart from conventional arms control. I believe that the way to begin an analysis of this subject is to reach conclusions with respect to the balance.

Now, as for Soviet objectives, in my judgment they have been consistent through the 15 years or so that conventional arms control has been on the East-West agenda formally.

Moscow, during that period put forth in MBFR many proposals which I think had the following objectives, to codify Soviet conventional superiority through an arms control agreement with NATO, to manage the gradual withdrawal of U.S. troops from Europe, to constrain U.S. reinforcement capability to Europe in a crisis, to limit the size and mobilization potential of the Bundeswehr, to inhibit NATO force modernization, to undermine flexible response, and to convince Western publics that European security problems were essentially political in character and not military, and that the West was spending too much money on its defense.

Now, as you mentioned, Mr. Chairman, the Budapest appeal in June 1986 and the speech by Mr. Gorbachev April 18 of that same year, which first broached the Atlantic to the Urals idea, has associated conventional arms control now with the Soviet leadership for the first time in the history of this subject in my judgment. But I do want to stress that there is only one Soviet conventional arms control proposal which is in public in detail, and that is the Budapest appeal, and it is a supreme example of old thinking in my judgment and seeks as the Soviets have sought for 15 years unilateral advantage.

So what I would like to emphasize is that despite a great deal of general talk from Moscow about reasonable sufficiency and asymetrical reductions and the like, the Soviets have taken not one single step or action or even initiative to back up their aggressively conciliatory rhetoric.

If the question is——

Chairman NUNN. May I interrupt you right there? I agree with you completely on that. I think though that with the new leadership we are going to see some proposals coming in the next 6 months that are going to be on the face much more appealing and much more attractive, things like perhaps a unilateral withdrawal of one or two divisions, perhaps a 2 to 1 ratio. It is those things that I sense are coming that I am concerned about us really getting behind the ball in terms of public opinion. They may be proposals that look good, but indeed would be very, very dangerous from our point of view, and puts us in a position of being behind the propaganda curve again.

I completely agree with the point you have just made.

Ambassador BLACKWILL. Well, of course, when those proposals come, and I think they are coming too, Mr. Chairman, it will be necessary to analyze them in the context of what I regard as those enduring Soviet objectives and see if they have changed.

I have to say that I remain skeptical that Moscow's European security preoccupations have done a 180 in 3 years, especially since some of these preoccupations go back four centuries or so. But others can have a different view.

I would next like to move to the question of Western political and military objectives in conventional arms control.

First of all, as you mentioned earlier, Mr. Chairman, NATO needs quickly to put an ambitious proposal forward. If we remember as you reminded us, that it has been almost 2 years since Mr. Gorbachev took the initiative on this subject to say that NATO has moved at a snail's pace in responding is to insult the speed of snails.

It is more than past time for us in the West to expose to our publics some fundamental ideas on this subject, and in addition, it is time for us to test Mr. Gorbachev's rhetoric, because we certainly cannot do that other than through individual proposals.

Now on the military side, I think that what we should concentrate on for our conventional arms control proposals are both the massive forward deployment of the Red Army in Central Europe and its armored capability and the reinforcements which would come from the U.S.S.R., either before or at the time of a conflict. There are a variety of ideas, as this committee knows, about how to best pursue those objectives. I explain in my statement why I favor neither first phase United States-Soviet reductions nor trading U.S. nuclear weapons for Soviet armor.

Instead, Jim Thomson, who I understand will be testifying here tomorrow, and I have proposed equal ceilings on tanks and artillery, both in the Atlantic to the Urals zone and in Central Europe. And the details of that are spelled out in my testimony.

I would like to conclude, Mr. Chairman, by returning to a subject that Karl Kaiser raised, which is what do we do now about the remaining U.S. nuclear weapons in Europe following the conclusion of the INF agreement. There is what I regard as an ugly argument brewing in NATO, which could very well get worse. The Reagan administration, France, Britain and most of the other allies, as you know, worry about a slide towards denuclearization of NATO military strategy, a worry that I think is well founded, and therefore want no negotiations with Moscow on the remaining 4,600 U.S. nuclear weapons in Europe until Soviet conventional advantages on the continent have been redressed through a conventional arms control agreement.

These nations also wish to modernize these U.S. systems, especially the aging Lance missiles. Now, the reason that there is an argument brewing, as you know, is because West Germans across the political spectrum have precisely the opposite view at the moment. That is to say, they would like—from Mr. Bahr, on the left, to Mr. Dregger on the right—to negotiate on these remaining nuclear weapons and especially on the missiles, the Lance missiles and the Soviet comparable systems, and at least to this point, neither the government nor the opposition has much stomach to take the step to modernize Lance.

Meanwhile, of course, Moscow has injected itself into this Western debate. In early January, Mr. Honnecker, the East German leader, proposed in a letter to Chancellor Kohl that the two sides, the two Germanys agree not to modernize nuclear weapons in their territories, and Mr. Shevardnadze stressed when he was in Bonn his wish to get rid of all of these weapons.

In my judgment, the alliance needs to find a way to connect the military requirements of sustaining nuclear deterrence in Europe, to the widespread and understandable desire of West Germans to get rid of at least some of these weapons on their territory.

I disagree with my friend Karl here. I do not believe arms control is the answer to this problem. I think that in such a negotiation, when one has, as Karl pointed out, 88 systems on our side and 1,400 on theirs, that a Soviet proposal with a 15 to 1 offer would be very hard to resist. And I think that if we got into such a negotiation NATO would have a great deal of difficulty resisting the third zero.

Moreover, I believe that one could expect the Soviets in such circumstances to argue that there should be no modernization while these negotiations go on. I think it would put off far over the horizon any modernization on the NATO side.

Incidently, I think that that proposition would be sympathetically received by many in the Federal Republic, that is to say no modernization while the negotiation is going on.

So I do not believe arms control is the answer. Also, I think Karl expressed irony of understatement in saying that a conventional arms control, or an arms control agreement limiting nuclear artillery shells could not be perfectly verified. That is a supreme irony of understatement as Karl knows.

But at the same time, I think that it would be a mistake for Washington and the rest of NATO to stiff-arm Bonn on this question. I think, as Karl does, that West Germans exaggerate the uniqueness of their vulnerability, but I do think that they have a right to ask, especially in the aftermath of the INF Treaty, why it is perfectly fine for the United States to negotiate a reduction in the nuclear threat to the American homeland, but not fine to try to do the same for West Germany.

In addition, one wonders if NATO really requires all of the 4,600 U.S. nuclear weapons remaining after the INF agreement to maintain its military strategy. I for one do not believe so. But more important, I think to ignore these West German concerns, which I say are expressed across the political spectrum, would weaken the alliance and produce an open sore in the indispensable United States-German security relationship.

This is a problem that I think the United States has to address, and if it does not, it would give a long term boost to those in the Federal Republic who support neither a credible NATO force posture nor nuclear deterrence, and lead many moderate West Germans to conclude that Moscow is more reasonable than Washington on this subject. A sentiment that too many of them already share, I am afraid.

To avoid such an outcome, I believe that the alliance should adopt a unilateral initiative to reduce dramatically and modernize over 5 years or so its remaining nuclear weapons in Europe.

This internal NATO bargain would entail the following; a 50-percent cut to about 2,300 of U.S. nuclear weapons in Europe, with a significant number to come out of West Germany; the replacement of Lance by a new missile in both larger numbers and with an increased range and the modernization of other U.S. nuclear systems in Europe; the enhancement of NATO aircraft penetration capability and the development of advanced ALCM's for NATO air forces; a ringing endorsement of both British and French nuclear modernization; and an agreement within the alliance that there would be no further consideration of reducing U.S. nuclear weapons in Europe below 2,300 until the Soviet Union had made similar cuts, and until conventional parity had been established between the two alliances.

Now this program, this policy suggestion is not risk free. There are not many that one encounters in this area that are. And it has some dangers. One is that it could be treated like a Chinese menu with people choosing the reduction in U.S. nuclear weapons but not choosing the modernization side.

So the bargain would have to be tight within NATO. Even so, it would be hard to negotiate this package with Bonn and within the alliance. But I think if it were to happen, it would respond to the legitimate preoccupations of the citizens of the Federal Republic. Moscow would certainly not like the idea since it wishes to denuclearize Europe for reasons that Karl Kaiser said. Neither would the left in Germany, but in my judgment it would help restore some stability and coherence to the nuclear component of NATO strategy and strengthen deterrence in Europe.

Thank you, Mr. Chairman.

[The prepared statement of Ambassador Blackwill follows:]

Statement of

Robert D. Blackwill
Lecturer in Public Policy
John F. Kennedy School of Government
Harvard University

Thank you for inviting me to express my views at this hearing concerning conventional arms control in Europe. In addressing this subject today, including in the context of the INF Treaty, I take as a given that we all agree that the United States and NATO should vigorously press the Soviet Union and its Warsaw Pact Allies to test whether Moscow's enduring efforts to achieve unilateral advantage through conventional arms control in Europe have actually changed under Mr. Gorbachev.

Moscow's Traditional Objectives

As you know, formal East-West exchanges on conventional arms control in Europe began in 1973. While the U.S. pushed for the MBFR talks principally to stave off congressional pressures for unilateral troop withdrawals from Europe, Moscow sought to avoid these negotiations between the two alliances. It had no wish to negotiate away its conventional advantages. In the end, the Soviets went along to secure U.S. agreement to the Conference on Security and Cooperation in Europe (CSCE) but the U.S.S.R. never demonstrated in MBFR its professed interest in fairly reducing conventional forces in Europe.

Instead, the Politburo attempted through the many Eastern proposals over the fourteen long and fruitless years in MBFR to weaken NATO and transatlantic solidarity. To this end, Moscow pursued a set of reinforcing objectives:

-- to codify Warsaw Pact conventional superiority through an MBFR agreement;

- to manage over time the graduated withdrawal of U.S. forces from Europe;
- to constrain U.S. reinforcement capability;
- to limit the size and the mobilization potential of the West German army;
- to inhibit NATO force modernization;
- to undermine the Alliance's military strategy of Flexible Response; and
- to convince Western publics that security problems on the continent are essentially political and not military in character and that NATO nations are over-spending on defense.

A fundamental question before us today on this subject is whether Gorbachev has altered these objectives.

Soviet Policy Evolves

In East Berlin on April 18, 1986, Gorbachev shocked NATO by announcing Soviet readiness to accept conventional force reductions and limitations from the Atlantic to the Urals. Moscow had asserted forcefully and frequently for 30 years that the U.S.S.R. would never accept a conventional arms control regime that included major portions of the Soviet homeland and excluded completely the territory of the United States. But Gorbachev shunted past policy aside and in its place formulated a new and enormously ambitious conventional arms control concept.

This concept was formalized at a Warsaw Pact Summit in Budapest two months later. There, the East proposed initial reductions of 100,000 to 150,000 men by each side within a year or two. (Recall that the current MBFR proposals by both alliances envisage total first phase reductions of less than 20,000 men.) It foresaw further cuts of 25 percent (about 500,000) by each alliance by the early 1990s; suggested a freeze on armaments levels; called for reductions in tactical air forces and cuts in nuclear delivery systems with ranges up to 1,000 kilometers; and singled out the problem of "dangerous" technological advances in conventional weaponry.

The Budapest Appeal as "Old Thinking"

It is important to examine the Budapest Appeal closely, for it remains to this day and despite calls from Moscow for "reasonable sufficiency" and "defensive defense," the only specific conventional arms control proposal Gorbachev has yet put forward. Fully consistent with the disruptive Soviet European security objectives that I enumerated earlier, the Budapest Appeal is strikingly one-sided in design:

-- its call for equal reductions of 100/150,000 on each side could allow the Soviets to reduce their less ready forces in the inner U.S.S.R. while NATO would be forced because of its lack of strategic depth to take much of its cuts in the first line divisions in Central Europe; this would make the balance in that critical area worse for the West and not better;

-- with its definition of tactical air forces, the East seems to have included on the NATO side all land-based and sea-based naval aircraft of this type while conveniently excluding air defense, reconnaissance and bomber aircraft which the Warsaw Pact deploys in great numbers;

-- the net effect of the East's armaments' proposal would be both to contractualize through treaty the Warsaw Pact's significant numerical advantages in major conventional weapons systems and to require that withdrawn US armaments be stored in the United States; similar Soviet armaments could be stockpiled in the western USSR thereby worsening still further NATO's geographic disadvantages;

-- by including nuclear weapons reductions in its initiative, Moscow continues to promote vigorously the denuclearization of Western Europe; and

-- verification of residual limitations after reductions, always an objectionable concept from the Soviet point of view, figures almost not at all in the Budapest Appeal.

New Words, But So Far Only Words, From Moscow

In the period following the Budapest Appeal, the Soviets have called for the elimination of the capacity for surprise attack; proposed the evolution to defensive force postures and doctrines for NATO and the Warsaw Pact; admitted they have some advantages in conventional forces in Europe, especially tanks; and expressed much greater willingness to accept intrusive verification measures in the context of a conventional arms control agreement.

These are important ideas for the West to explore with the Soviets, although Moscow also continually asserts that a rough conventional balance presently exists between the two sides in Europe. To this point, it is only radical and quite general rhetorical concepts we get from the Soviet Union, not any detailed initiative concerning its conventional force structure and deployments that would back up Gorbachev's aggressively conciliatory propositions. Those positive Soviet actions may come. I hope they do. We should all notice that they haven't yet.

Western Policy Objectives

As with the Warsaw Pact, NATO's broadest objective in pursuing conventional arms control in Europe in the period ahead should be political in nature. With Gorbachev posing the greatest Soviet public affairs challenge to the West in the post-war period, the United States in particular must try to ensure that any blame for lack of progress in this arms control endeavor falls squarely on the Soviet Union. Given the current high quality of Soviet diplomacy, that is a formidable task.

NATO's military goals in new Atlantic-to-the-Urals talks should derive from the threat represented by forward deployed

Soviet armored forces in Eastern Europe and the massive reinforcements from the U.S.S.R. that would follow on in a conflict. The West needs to try to get at this abiding danger and increase warning time through an arms control agreement that reduces the Warsaw Pact's capability of utilizing these forces for short warning attack and to spearhead large scale and reinforced offensive action. This would at a minimum necessitate the withdrawal from Eastern Europe of many Soviet first-line tank and motor rifle units with their armaments to areas outside the Atlantic-to-the-Urals zone with much smaller reductions on the Western side; large reductions in Soviet ground forces capability inside the U.S.S.R.; and the establishment of an adequate verification regime to promote compliance with the resulting residual ceilings. If it can be done without unduly constraining Western flexibility, and be verified, NATO might also seek limits on the Red Army's enormous mobilization capability.

In addition, the United States and its Allies should protect against several negative outcomes in the new talks. NATO should especially avoid: Western reductions in Central Europe that would undermine necessary force-to-space ratios and the integrity of NATO fighting forces there; crippling limitations on U.S. reinforcement capability; weakening constraints on European mobilization and NATO force restructuring; technological limits on NATO's force modernization; interference with Western military activities outside the Atlantic-to-the-Urals zone; steps which would accelerate the denuclearization of Europe; U.S. troop withdrawals that would undermine extended deterrence; and any agreement with the East which would make NATO decision making in a crisis more difficult. This does not leave the Alliance very much with which to bargain with Moscow. That is a function of the serious military problems NATO confronts in Europe.

What Sort of NATO Proposal?

With this background in mind, let me now quickly look at possible proposals that the West might put forward in the next phase of conventional arms control in Europe.

One idea is for first phase US-Soviet cuts in their respective forces in Central Europe, followed by subsequent reductions on the part of other members of the two alliances. I do not support this notion. In my view, it would bite dangerously into NATO's operational reserves; complicate through no increase commitments West German and other Allied mobilization options; leave untouched Soviet forces in the U.S.S.R.; block some NATO defense improvements, with insufficient concessions from the East; give Moscow few military incentives to proceed beyond this first stage; and perhaps result in the withdrawn U.S. forces leaving active service because of budgetary reasons. As important, in the aftermath of the INF Treaty, a U.S. proposal to cut significantly its divisions in West Germany could further persuade our NATO Allies that the United States was on its way out of Europe and that our nuclear guarantee no longer had much credibility.

A second set of ideas surrounds the proposition that the United States should trade short range nuclear weapons, artillery and/or dual capable aircraft, for Soviet armor. Here, too, I have my doubts. The French and British governments rightly fear a slippage to denuclearization in Europe. They oppose any further negotiation with Moscow on nuclear weapons on the continent, including swapping nuclear weapons for tanks, until the conventional imbalance has been redressed. For the United States to proceed, therefore, would produce serious strains with these major Allies and undoubtedly divide NATO. Indeed, Paris would simply not agree to link conventional and nuclear weapons in the forthcoming negotiation among the 23 members of the two blocs.

Moreover, to trade U.S. nuclear weapons for Soviet tanks would not constrain Soviet nuclear weapons or U.S. tanks. So one would have to limit, and perhaps reduce, both U.S. and Soviet nuclear weapons and tanks. In that circumstance, Moscow would have incentives to stress through its proposals the nuclear rather than the armor component of this equation, thus potentially undermining Flexible Response. Further, it is difficult to see how limits on Soviet nuclear artillery shells and bombs could be verified. Many of NATO's dual capable aircraft would have crucial conventional missions at the outbreak of war. And given the rapid reintroduction capability to Europe of withdrawn aircraft, any restrictions on these systems would probably have to be global in character -- a serious problem considering America's worldwide interests and obligations.

Blackwill/Thomson Proposal

That brings me to a proposal that Jim Thomson, Vice President of the RAND Corporation, and I have put forward.

Instead of a solely superpower emphasis, it is preferable in our judgment to reduce the number of offensive weapons in the two alliances to equal ceilings. In the Central European setting, the tank is clearly the preeminent offensive weapon. It could be used to spearhead blitzkrieg attacks designed to seize Western territory. Although tanks are also the best anti-tank weapon, NATO's need for tanks springs largely from the fact the Warsaw Pact has them, and in great numbers. Thus, if the Pact sharply cut its tank forces, NATO could also reduce its tank holdings.

But the reduction (or even elimination) of tank forces would not eliminate offensive capabilities. Warsaw Pact infantry, whether on foot or in vehicles, could also break through if artillery could be used to knock holes in NATO's forward defenses. Thus, it would probably be wise to include artillery reductions and residual ceilings as well. It is tempting to expand the list to cover additional weapons, but other ground and air force weapons do not have the same offensive capacity as tanks and artillery, and including them would both make a proposal more complicated and more difficult to verify.

As for verification, it is a conventional arms control nightmare. First, manpower. The Warsaw Pact has about three million men in its armed forces in the Atlantic-to-the-Urals area. If the East reduced these troops by two hundred thousand, imagine trying to verify compliance with a residual Pact ceiling of 2.8 million soldiers spread across thousands of military installations in millions of square miles. The Soviets could thwart the count by prolonging the period between inspection request and the arrival of inspectors, during which people could be moved around; ensuring inspection teams were too small to do the job; declaring a priori large areas off limits to inspectors; and curtailing inspectors' time on-site and freedom of movement. These folks, after all, did invent the Potemkin Village.

So the West should not include manpower in its proposals. Tanks and artillery are far easier to keep track of but that, too, would be an extraordinary challenge in the vast Warsaw Pact area from the inner-German border to the Ural Mountains. Thus, the West would be wise to insist that tank and artillery reductions be taken by the withdrawal of units -- not divisions but their components (regiments and battalions).

If this verification approach was pursued, there would have to be a comprehensive and disaggregated data exchange on the two sides "order-of-battle," a listing of major units, their components, and tank and artillery holdings by individual units. This would be coupled with an intrusive, extensive and mandatory on-site inspection regime to check those inventories. But even with that monumental stride forward in Moscow's military glasnost, conventional arms control simply does not lend itself to strict verification standards. Either verification will become an impenetrable barrier to a conventional arms control treaty between East and West in Europe, or the United States will have to be willing to accept some uncertainty in verification. Given the nature of the beast, the US verification emphasis should be on uncovering violations that make a military difference. In conventional arms control, exact counts of men or weapons systems are impossible.

Equal Tank and Artillery Ceilings

This, then, is the Blackwill/Thomson proposal: Both sides should cut tank holdings to equal collective ceilings of 20,000 and artillery including multiple rocket launchers and heavy mortars to 15,000 in the Atlantic-to-the-Urals area. In the smaller zone of Central Europe, the corresponding figures would be 10,000 and 4,000. It is important to have the smaller zone to be sure that the most immediately threatening Soviet forces-- those in Eastern Europe -- are withdrawn or destroyed. Reductions would be taken in the form of regiments and battalions. The cuts would be sizable. The Warsaw Pact would have to eliminate about 30,000 tanks and 25,000 artillery pieces all told. NATO would reduce about 4,000 tanks and 2,000 artillery pieces. It is important to stress this is the required end result of negotiation, not an opening NATO position to be whittled away over time. Parity is what we are after, a simple idea that publics can understand and hopefully support.

These cuts would make a positive military difference. The Warsaw Pact would have to remove or destroy somewhat more than half of its tanks and artillery west of the Urals. But, since tank and artillery regiments rather than divisions would be withdrawn or deactivated, the East would not have to eliminate 50 percent of its 200 plus divisions. Instead, the Pact could pull out about half the offensive teeth of these divisions, leaving the less threatening components, such as infantry and anti-armor forces, behind or deactivate some divisions to save money and manpower and reorganize others.

The result would be substantially restructured and less offensive forces -- and, to repeat, parity in the most offensive conventional weapons on the two sides. Modernization of forces would still be necessary, of course, but this would occur in the context of a far more stable conventional balance in Europe.

Negotiating Patience A Key

I hope this concept is clear and fairly simple. Obviously, many details would have to be worked out. But by putting it forward soon, the West would be making a forceful statement about its aims in conventional arms control:

* It wants to increase stability in Europe and to transform the military balance away from reliance on offensive weapons.

* It wants to maintain the U.S. military commitment to the security of Europe -- and the credibility of extended deterrence.

* It challenges the Soviet Union to take a bold step consistent with Moscow's recent rhetoric, including its assertion that its military doctrine is defensive, toward changing the fundamental nature of the East-West military competition in Europe.

Although it does these things, the proposal is unlikely to be accepted in the short term. The Soviets have accumulated their offensive military power in Europe for many reasons, including intimidation of Western Europe and political suppression of Eastern Europe. Mr. Gorbachev says he wishes to alter the Soviet Union's post-war security patterns, including those in Europe. Perhaps he does. But until the Politburo changes in practice these destabilizing objectives, which as I indicated above it has yet to do, it is unlikely to agree as well to a fundamental shift in the military balance.

Nevertheless, fears of a drawn out negotiation should not prevent NATO from initiating a detailed dialogue with the U.S.S.R. on what the West believes it needs for its defense and the role conventional arms control can play in promoting stability in Europe. More than ever, we need to get past the beneficent generalities emanating from Moscow and patiently test real Soviet security goals through specific and fair Western negotiating proposals.

Attachment: Robert D. Blackwill, "Grim Prospects for Conventional Arms Control," The Washington Post, December 20, 1987.

[From the Washington Post, Dec. 20, 1987]

NO MORE NUCLEAR WEAPONS? THE OUTLOOK IS GRIM FOR CONVENTIONAL ARMS CONTROL

[By Robert Blackwill]

In the aftermath of the INF Treaty, attention in the West is now sensibly turning to conventional defense and arms control in Europe. After Mikhail Gorbachev's visit to Washington, there is even a hum of optimism in the air on this subject. Such humming should stop. Significant progress in conventional arms control negotiations with the Soviet Union in the next several years is quite unlikely.

It is true that Moscow's rhetoric concerning conventional arms control has changed. In calling for deep reductions of conventional arms, Soviets now routinely use the phrase "reasonable sufficiency" to describe the proper objective of Warsaw Pact and NATO defenses. They call for a transformed European security system based on "new thinking" in which neither alliance has the capacity for surprise attack. They admit that the Warsaw Pact has asymmetric advantages in some conventional weapons systems such as tanks. Moreover, major cutbacks in the Red Army would certainly assist Gorbachev's efforts to reform and reinvigorate the Soviet economy. So why the pessimism?

1. The Warsaw Pact enjoys conventional superiority in Europe with no prospect that NATO will build up its conventional forces. Moscow could well wish through an arms control agreement with the West to codify its conventional advantages at lower levels. Why should it wish to negotiate them away?
2. It is possible that the U.S.S.R. would be willing to trade some armor for Western nuclear weapons and/or dual-capable aircraft. After INF, such a deal would further the Soviet goal of a denuclearized Europe and therefore will for the foreseeable future be unacceptable to NATO. So what Moscow wants, NATO will not give.
3. Withdrawing many Soviet divisions from Eastern Europe could incite unrest there and threaten Gorbachev's hold on power.

4. Any NATO conventional arms control proposal should propose deep cuts in Soviet forces in the western U.S.S.R. as well as major withdrawals of the Red Army from Eastern Europe. James Thomson of the Rand Corp. and I have suggested elsewhere equal tank and artillery limits for NATO and the Warsaw Pact in the Atlantic-to-the-Urals area and in Central Europe and have argued that because of the immense mass of Soviet reinforcement capability from the U.S.S.R., small reductions, even if asymmetrical, would be worse than nothing. But equal armaments ceilings would require the elimination of tens of thousands of Warsaw Pact and especially Soviet tanks and artillery. This would signal not just an arms control agreement but a fundamental transformation of the postwar political order in Europe. Not likely.

5. Verifying a conventional arms control agreement would be enormously difficult and would require rapid Western access to thousands of Eastern military installations as well as the Soviets' willingness to expose, through an exchange of information with the West, their order of battle down to the battalion level. To imagine such military openness—far beyond the INF verification regime—is to contemplate another sort of Soviet Union than even the most accommodating Gorbachev could likely deliver.

6. Gorbachev can reduce the size of the bloated Soviet armed forces unilaterally, thus saving money, without appreciably diminishing the military threat to Western Europe. This could include small Soviet troop withdrawals—no more than four divisions—from Eastern Europe, which would be meant to impress Western public opinion, stimulate NATO reciprocity, allow rapid reintroduction of Soviet forces in time of East European turbulence and avoid stringent verification. In fact, one could argue that if Gorbachev really wishes urgently to reduce Soviet spending on conventional forces, he cannot afford to wait for a treaty with the West that at best could take years to conclude.

This is not to say that the United States and NATO should give up on this endeavor as hopeless. To do so would both leave the initiative with Moscow and miss the opportunity to test Gorbachev's fine-sounding phrases. Therefore, the alliance needs publicly to put forth soon its concept for conventional arms control in Europe and explain how this concept fits into Western strategy. But to believe that Gorbachev—no matter how visionary—through good will and arms control will rescue the West from its conventional inferiority in Europe is to be on the lookout for Santa.

Thus, nuclear deterrence will remain a crucial element in the defense of the West. After the INF Treaty is ratified, we can expect renewed Soviet and Allied, especially German, domestic pressure to reduce, even eliminate, battlefield nuclear weapons in Europe with ranges below 500 kilometers. Foreign Minister Hans-Deitrich Genscher of West Germany has stated that he has a commitment from NATO ministers that the alliance will expeditiously press for follow-on talks with Moscow on these short-range nuclear systems, most of which are deployed in the Federal Republic. Since such a negotiation would serve Moscow's objective of moving toward a nuclear-free Europe, one could expect much more Soviet flexibility here than with respect to conventional forces. Thus NATO's enduring conventional inferiority could be matched by an ever less credible nuclear deterrent. Call it old thinking or new, this is what Moscow may have in mind. Gorbachev can, of course, demonstrate otherwise—but not on the pages of Pravda.

Chairman NUNN. Thank you very much, Mr. Ambassador, for an excellent statement with some new thoughts and ideas that are very interesting to say the least.

Mr. Karber.

STATEMENT OF PHILLIP A. KARBER, BDM CORP., VICE PRESIDENT AND GENERAL MANAGER FOR NATIONAL SECURITY PROGRAMS

Mr. KARBER. Mr. Chairman, I was afraid that I was not going to have anything to say, having agreed with everything that Professor Kaiser and Ambassador Blackwill had said up until about a minute ago when the Ambassador came out with his idea of a unilateral nuclear readjustment bargain.

It reminded me of about 12 years ago in MBFR when we decided to try and link the conventional and nuclear arenas, in the old

Option Three. We were worried then about large concentrations of Soviet tank armor, so we asked them to pull out a Soviet tank army of some five divisions. In exchange we would pull out 36 Pershings, 54 nuclear capable F-4 aircraft, and a thousand nuclear warheads. Well, looking at it 12 years later, the Soviet tank army is still there. In fact, the quantity of Soviet armor has increased as has its quality. But, interestingly, we kept our side of the bargain and, in fact, doubled it. Instead of 36 Pershings we have now pulled out 180. Remember, there were no SS-20's at the time of Option Three. Instead of 54 aircraft we have unilaterally pulled out over a hundred NATO nuclear-capable aircraft in the Center Region during our modernization. And instead of pulling out a thousand warheads we have implemented the Montebello decision, which has meant pulling out warheads in excess of 2,000. But the Soviet tank army is still there.

Now, regarding the INF accord, it seems to me that there are also some conventional implications of the treaty. We tend to look at INF primarily in terms of the pressure that it puts on the conventional balance in a political or deterrent sense. There are both pros and cons.

On the pro side, the most positive implication of INF is the withdrawal of the deployed SS-12 and SS-23 systems, which were being outfitted and tested with very large, significantly low—CEP warheads with conventional munitions—advanced conventional munitions, I might add, of a new type that would pose a substantial threat to our forward-based air power in Central Europe.

Withdrawing those missiles significantly reduces the threat to NATO's Center Region air bases. On the other hand, there has also been a substantial change since 1979 when NATO adopted the dual-track approach to the Center Region nuclear balance. This change has hardly been noted, let alone calibrated.

For example, in 1979, NATO had more than a thousand tubes of nuclear-certified artillery in the forces on the Central Front. The Warsaw Pact had zero, none. Today the Warsaw Pact has more nuclear artillery immediately opposite NATO forces on the Central Front than NATO has. It is an enormous change in the tactical battlefield perception of the role of those weapons.

Second, the Soviets have doubled the number and doubled the range/payload of forward-based nuclear-capable aircraft deployed in the Central Region since the late 1970's. And even, the INF Treaty will leave them with more than a 4-to-1 advantage in forward-based short-range nuclear systems. I have a little handout that you might want to look at. It plots the deployment of missiles remaining after INF Treaty implementation, including NATO Lance forward-based missiles as well as Warsaw Pact FROG, SS-21 and SCUD. The dots reflect units, but they roughly reflect the numbers as well. And it seems to me that it vividly illustrates the asymmetry that will be left. If we had plotted nuclear artillery locations it would roughly mirror the same density and locations. These also graphically illustrate what the West Germans are worried about—that is, the sense of being a primary target zone for the remaining nuclear deterrent.

Now the fielding of the INF forces also had a significant impact on our conventional capability. For example, fielding the GLCMs allowed us to move many strike aircraft, particularly the F-111s, from a nuclear ORA, quick reaction alert, or nuclear dedicated posture, so that they could participate in the conventional battle with more decisive effect, striking deeper.

Now that the INF missiles are going out, many of those nuclear targets are going to be re-roled back to dual-capable aircraft. Those aircraft may still participate in the conventional phase of the battle, but the commanders will be less willing to commit them decisively at the very point that the battle will most need the decisive use of NATO air. That in essence becomes a self-fulfilling prophecy, because if he does commit them, then they are not ready for the nuclear role if he needs them. But if he does not commit them, a Warsaw Pact breakthrough may be imminent.

Also, I would point out to the chairman, that with much fanfare the United States in the mid-1970's deployed several brigades to Europe to increase and bolster our conventional defense. These units are frequently called the Nunn Brigades. Nunn Brigade 1976 was unilaterally withdrawn in 1984 by the United States.

By the way, we are the only country that has unilaterally withdrawn a brigade from the Central Front in the last 15 years. That brigade was withdrawn because of the congressional limit on manpower and the need to use those manpower slots to man the GLCMs. It seems to me fair to ask if the INF systems are now going out, whether that manpower would be returned as a conventional commitment in the form of a brigade, or whether additional conventional aircraft would be redeployed to central Europe to fill the gap that will be left in our conventional deep-strike capability.

There is also the issue of verification. It seems to me that it is an important one, particularly the INF Treaty's precedent for on-site verification. Although, when one looks at the way verification is applied in INF with regard to its application to conventional arms control, it seems to me that it is the kind of verification we really wanted to reject in Soviet proposals in MBFR. That was, willingness to verify what is pulled out, but not to allow verification of what is left in. So I am not sure that that precedent is as compelling as otherwise it might be.

Mr. Chairman, the sum to me is that the nuclear change is putting enormous pressure on the conventional balance, and that in turn is pressuring our quest for conventional arms control options. What I would like to do is to very briefly summarize five of those various options that are being floated around the alliance.

One option popularized by Zbigniew Brzezinski, is called the tank reduction zone. It is also popular among the European left-of-center groups who would like to institute a "defensive defense" posture on both sides. If you'll turn to the next chart, the one that is floating around on t-shirts these days, it shows the location of tank battalions in the Center Region.

Now what is interesting about the tank reduction zone option is that essentially, it is a duality that basically is self contradictory. That is, if one wants to make them, as much as the European left does, a 50 to 100 kilometer zone cutting across, the problem with a narrow zone is that it is so small that an attacker seizing the initiative can penetrate that zone relatively quickly. And then we in the West have given up the very area where we plan to fight our most decisive forward defense battle. So any kind of narrow zone, 100 kilometers or less, ends up actually undermining our own potential to react, to put in barrier preparation and so forth.

On the other hand, going to a deep zone ends up leaving us with virtually no place to redeploy to or even train in, and singles out West Germany as a singular entity of unique armament constraint. So it seems to me that the tank reduction idea is a bad one and ought to be rejected.

A second proposal—this has been floated by the French—is actually quite cute. Their argument is that in the modern world guests in other people's countries should not invite more family members than there are members in the family that they are visiting, otherwise known as the indigenous-to-stationed ratio. So the French say it is not really right to have large concentrations of guests visiting a small family. So their idea is that no country in either alliance should allocate forces larger than the indigenous forces that they are visiting.

So in other words, for example, the Soviets have 19 maneuver divisions in East Germany, and under the French concept 13 of those would be withdrawn, to draw down to the level of the six East German divisions.

I say it is cute, but in many ways it has a compelling nature to it. It gets at about the right number of Soviet forces we need to get out of the Center Region. And it does put political pressure on those forces in the public exposure sense.

The problem is that if it is in turn put back on us—and there is no rule that says the Soviets cannot take our argument and throw it back at us—it would essentially deny us any military use of Iceland, for example, because Iceland does not have an extant military force. Even the location of the U.S. POMCUS assets in Belgium, being larger than the Belgian assets in Belgium because half of the Belgian force is in Germany, might be precluded by such an arrangement.

So it seems to me that, while the idea is interesting, it ultimately is likely to be very impractical and in fact open to circumvention. That is, would we really feel more comfortable if the Soviets took those 13 divisions out of the German Democratic Republic and moved them back 50 kilometers into Poland? I think that would be of help, but it still could leave large forces forward.

I might point out that the French proposal's cuteness is sort of matched by its cynicism, in that they would essentially offer nothing in exchange for that. That is, this is just a general principle of international relations that nobody should as a guest have more relatives at the table than the host family.

A third proposal which I think is gaining large-scale acceptance inside the alliance and is rapidly becoming, I think, the compromise alliance position, well articulated by my colleague Ambassador Blackwill and Jim Thomson of Rand, who are two of the finest thinkers in this area, is the argument of reductions to common ceilings.

That would establish certain levels of forces, primarily focusing on weapons that we consider most threatening and most imbalanced—tanks and artillery being two of them—and determine a level, and then each side could build down to that level.

My colleagues have proposed I believe, for the whole Atlantic to the Urals area a limit of 20,000 main battle tanks, 10,000 in the Center Region. Now, I have included a chart taken from the IISS Military Balance—it is the third one in the handout—which essentially gives the numbers for those two geographic areas, and you can see how big the relative cuts would be.

And it seems to me that chart raises or highlights one of the problems under the MBFR negotiations, because we were worried about trying to get a handle on what was known as the "come as you are party" threat, that is, forces immediately available to enter combat, forces that could destabilize a crisis into combat. The focus there was on active, available assets inside central Europe. If one looks at those IISS data charts, one sees enormously high NATO numbers, and the reason is they are not counting just NATO assets in active units, but counting assets in POMCUS, in war reserve and war stockages.

And I would argue that under a common ceiling approach one is in essence going to have to count the entire kitchen sink of assets, not just focus on the active assets but on the entire kitchen sink, because unless you know what all those assets are, since you have no other mechanism of verifying what has been withdrawn, you have to be able to calibrate all of them.

I think that is extremely dangerous in terms of an opening negotiating position because it tends to highlight not where the danger is—in the asymmetry in active operational forces immediately in the Center Region—and tends to water down those significant numbers and reduces our bargaining position, in my opinion. It also seems to me that proposals that go for the ceiling approach also have a substantial problem with verification unless they take those reductions in units.

I would then move to the fourth proposal, which I believe is described as a British proposal. Now the British have done probably the most work of any government in central Europe on war gaming, command analysis, and detailed operational thinking in terms of the balance.

The British have calculated we need to get about 13 Soviet divisions out of the Center Region. In exchange for that, the most that NATO can afford to give up is about 2½ divisions.

Now, the British might also widen the Center Region a little bit and count Hungary, which would make it 15 Soviet divisions, and Denmark, which would make it about 15 to 3. So roughly a 5 to 1 ratio is what would apply to a pull out. The British would do it in units, active units, particularly focusing on tank-heavy formations. It has a lot of intuitive appeal.

One problem area that proposal and the ceiling approach that I mentioned earlier are going to have is the selectivity of choice of the side implementing. That is, if the units selected to be reduced are not part of the real threat, it will be a problem. For example, the units that scare us the most in central Europe are not the non-Soviet Warsaw Pact, euphemistically known as the "nosewipes". The NSWP are not the heavy-hitting units that threaten NATO's forces.

It is the large, strong Soviet forces that are the real threat. Taking an alliance to alliance approach essentially fences off the very units we are trying to get a handle on on the Eastern Bloc side.

And the fifth proposal, that of the chairman, which is to focus on United States-Soviet reductions as at least a first phase, with the reduction numbers being approximately 13 divisions on their side. It is interesting that "lucky number" 13 keeps coming up, in the French number, in many of the calculations of the alliance, in the British number. It is I think probably the consensus on the magnitude that the other side needs to pull out. The number 2½ also typically comes up as about the maximum amount we could take on our side in a reduction and still feel that we could have sufficient density to hold the front.

To me, one of the most beneficial aspects of the superpower-to-superpower approach is that, while in general the idea of equal percentage reductions applied alliance to alliance does make a lot of sense, there is both an historic and an operational rationale for the two superpowers taking the initial cuts and doing it in proportion to their existing assets.

The U.S. Seventh Army had pulled out of central Europe in the late forties. It came back in the early fifties because Stalin mobilized and introduced some four tank armies into East Germany. There is a historic precedent. The reason Seventh Army came back is because Stalin had sent those tank armies back. It seems to me that on that precedent alone the superpower-to-superpower approach is fairly compelling.

There is also the argument that by addressing the Soviet weight we get the best reduction in terms of proportion, and it is one that is easily communicated to publics. That is, each of the two superpowers ought to reduce their level of presence in central Europe, cut it in half.

So from my view, that approach has many compelling arguments that ought to be looked at in more detail. But I think there are a number of dangers on the road ahead, and I will touch on them.

One of the major problems we have is the inability to focus on what it is that bothers us and then being able to zero in on that in terms of arms control remedies. There is an old saying that in conventional battle, whether offense or defense, one must have a schwerpunkt on which to concentrate the main effort. It seems to me that conventional arms control makes no less a compelling case to focus on the schwerpunkt.

There is a danger in employing the Atlantic to the Urals region of diluting whatever we focus on in negotiations, a danger that we could cover a wide area and yet not have our results be militarily significant in a local region context.

I have concluded a map at the end of the handout showing where the Soviet forces are and roughly calibrating them by readiness category. You can see the heavy ready active forces concentrated on the Central Front, in primarily the German Democratic Republic. In this respect, it seems to me that MBFR has gotten much too much of a bad name. The focus on central Europe was a correct focus. And I was, by the way one of the strong critics of the MBFR. But the focus was correct. The focus on stabilizing the balance by getting a handle on active operational units was correct. And any arms control proposal for NATO and the Warsaw Pact that dilutes or moves away from the MBFR area or changes the counting rules associated with that, it seems to me, is opening Pandora's box to no obvious advantage.

To sustain the public sense of what the imbalance is, we must have an authoritative arms control impact statement laying out where the beans are and how many they are, in what categories, in what calibration. We need a definitive statement of the conventional balance.

Much of the Western public support is eroding around the edges because there is no authoritative assessment of what that balance is, and it seems to me that is critical.

With that, Mr. Chairman, I think I will finish.

[The prepared handout of Mr. Karber follows:]

PREPARED HANDOUT OF Phillip A. Karber
Feb. 17th 1988

CONVENTIONAL ARMS CONTROL OPTIONS

I. RUNNING IN PLACE vs PRESSURES FOR PERFORMANCE

A. INF and its Impact on the Conventional Balance

  Fig. 1 Deployment of Short range Systems

B. the non-implementation of Montebello

C. the Growing threat to NATO Conventional Readiness

II. CONVENTIONAL ARMS CONTROL OPTIONS

A. Tank free Zones

  Fig. 2 Tank Deployment in the Central Region

B. Stationed to Indigenous Ratios

C. Reductions to Common Ceilings

  Fig. 3 A Bad Way to Count

D. Asymetric Unit Reductions

E. Symetrical Superpower Percentage Cuts

  Fig. 4 The Impact of the NUNN Proposal

III. DANGERS ON THE ROAD AHEAD

A. Need for a Focal Point of Main Effort

B. Atlantic to Urals Geographic Dilution

  Fig. 5 The Location of Forces

C. Redemptive Value of the MBFR Counting Conventions

D. Where is the Bean Count Now that We Need IT?

E. INF Implementation and Soviet Incentive Structures

A. Conventional Force Data: NATO and Warsaw Pact

(N.B. This table presents aggregated data for a large number of national forces, divided on the basis of their geographical deployment. The level of confidence as to the many components varies; the aggregated figures therefore embody a measure of estimation).

	NATO Guidelines Area		Atlantic to Urals	
	NATO[a]	WP	NATO[a]	WP
Manpower (000)				
Total active ground forces[b]	796	995	2,385	2,292
Total ground force reserves[c]	922	1,030	4,371	4,276
Divisions[d]				
Manned in peacetime[e]	32⅓	48⅓	107⅓	101⅓
Manned on mobilization of reserves[f]	12	8	41⅔	100
Total, war mobilized[f]	44⅓	56⅓	149	201⅓
Ground Force Equipment[g]				
Main Battle Tanks	12,700	18,000	22,200	52,200
MICV	3,400	8,000	4,200	25,800
Artillery, MRL, ATK guns.	3,600	9,500	11,100	37,000
Mor (120mm and over)	1,200	2,200	2,600	9,500
ATGW: ground-based[h]	6,500	4,500	10,100	16,600
ATGW: hel-borne	300	270	470	1,050
AA guns	3,100	3,400	7,400	12,000
SAM[i]	1,350	2,200	2,250	12,850
Armed helicopters[j]	550	430	780	1,630
Land Combat Aircraft[k]				
Bombers[k]	72	225	285	450
Attack[k]	901	799	2,108	2,144
Interceptors/fighters[k]	304	1,020	899	4,930

NUNN PROPOSAL

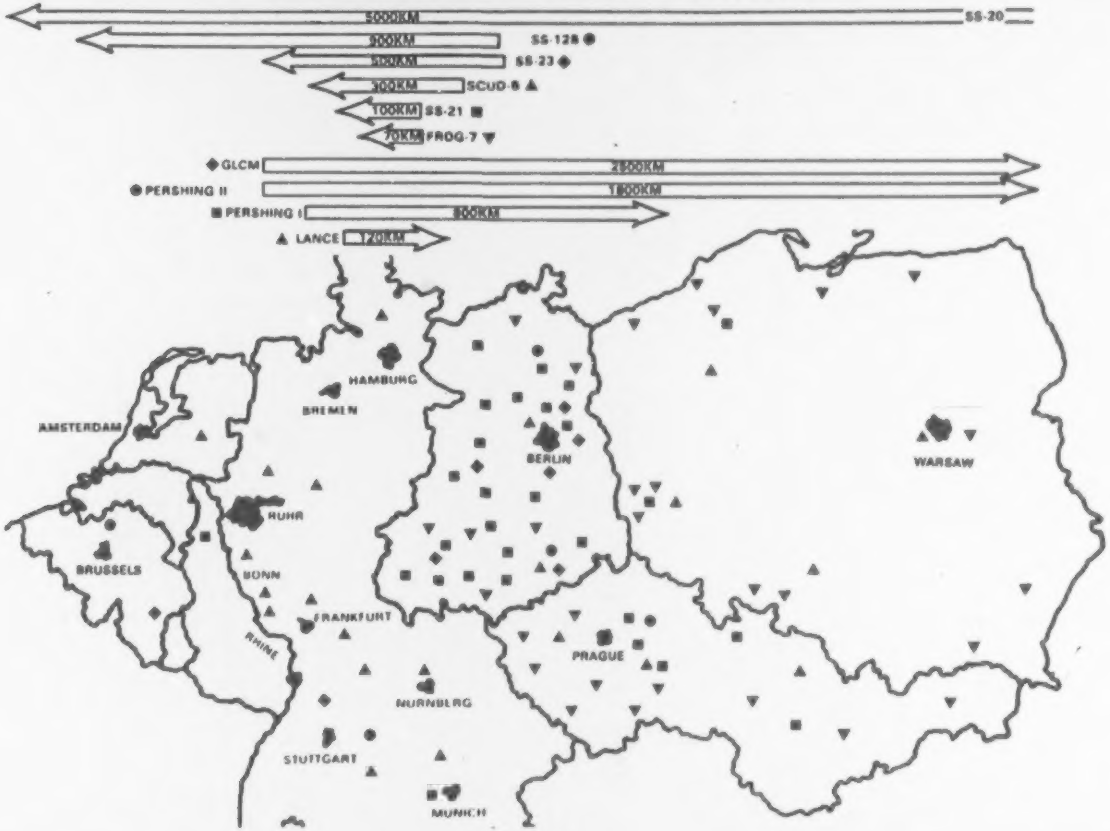
FIFTY PER CENT REDUCTION OF U.S. AND SOVIET DIVISIONAL ASSETS IN CENTRAL EUROPE

U.S Assets Withdrawn	Soviet Assets Withdrawn
2 arm.div./1 mech bde/1 cav.reg.	13 tank divs.

	U.S.Assets Withdrawn	U.S.% NATO active	Ratio of Withdrawal	Soviet % of WTO	Soviet As Withdraw
Troops	42.600	5.3%	3.4/1	13%	149,50
Tanks	949	13.7%	4.4/1	24.5%	4147
AFE	1178	16.5%	3.7/1	22%	4355
ATGM	1018	16.7%	3.1/1	29%	3237
ARTY	204	9.7%	8/1	24%	1638
MRL	18	8%	13/1	19.5%	234
MORTARS	177	10.4%	5.2/1	33%	936
AD gun	48	2%	5/1	6.7%	208
SAM	48	3.4%	9/1	21%	468
HELO	134	24%	1/2	10.4%	78

UNSTABLE SSM IMBALANCE IN CENTRAL EUROPE

PEACETIME DEPLOYMENT LOCATIONS


5000KM
SS-20
900KM
SS-12B ●
500KM
SS-23 ◆
300KM
SCUD-B ▲
100KM
SS-21 ■
70KM
FROG-7 ▼
◆ GLCM
2500KM
● PERSHING II
1800KM
■ PERSHING I
800KM
▲ LANCE
120KM
HAMBURG
BREMEN
AMSTERDAM
BERLIN
WARSAW
RUHR
BRUSSELS
BONN
FRANKFURT
RHINE
PRAGUE
NURNBERG
STUTTGART
MUNICH

TANK IMBALANCE IN CENTRAL EUROPE

BATTALION PEACETIME DEPLOYMENT

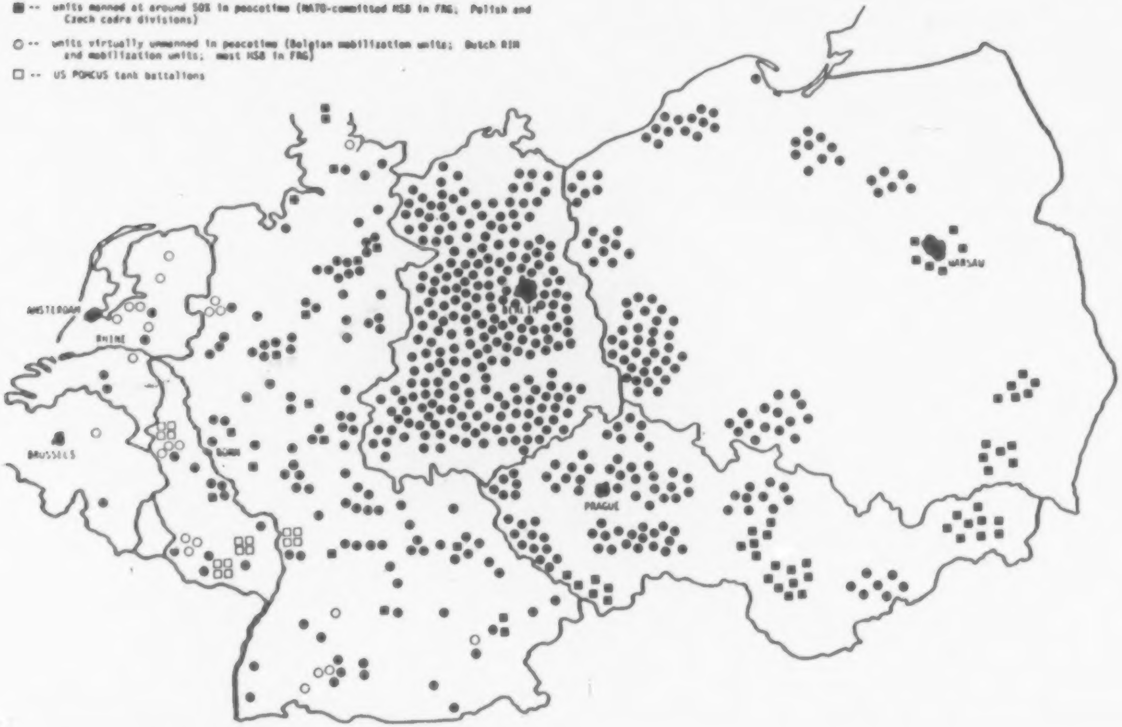
LEGEND

● -- (all solid circles) active units

■ -- units manned at around 50% in peacetime (NATO-committed HSB in FRG; Polish and Czech cadre divisions)

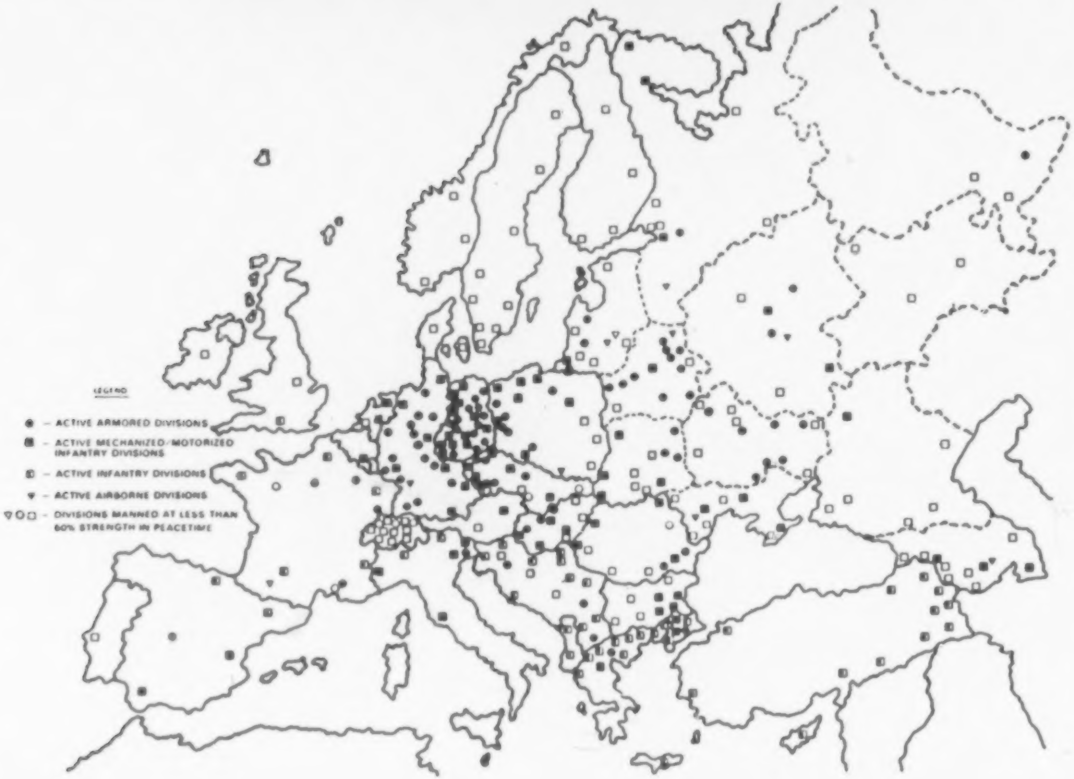
○ -- units virtually unmanned in peacetime (Belgian mobilization units; Dutch RIR and mobilization units; most HSB in FRG)

□ -- US POMCUS tank battalions


AMSTERDAM
RHINE
BRUSSELS
BONN
BERLIN
PRAGUE
WARSAW

ATLANTIC TO THE URALS

CONVENTIONAL FORCE DEPLOYMENT


LEGEND
● – ACTIVE ARMORED DIVISIONS
■ – ACTIVE MECHANIZED/MOTORIZED INFANTRY DIVISIONS
▣ – ACTIVE INFANTRY DIVISIONS
▼ – ACTIVE AIRBORNE DIVISIONS
▽○□ – DIVISIONS MANNED AT LESS THAN 60% STRENGTH IN PEACETIME

Chairman **Nunn**. Thank you very much. Those were all excellent statements from different perspectives, with some common ground and some disagreements. But that is what we are here for. You all have been an immense help to us in laying out your views.

I am going to have to depart for about 15 or 20 minutes, and will ask Senator Wirth to preside and lead off with questions, then I will be back. I have a number of questions, but I have to leave and meet with a group for a few minutes.

Senator Wirth, will you take over, and I will be back.

Senator **Wirth** [presiding]. Thank you, Mr. Chairman. I think it would be helpful if Mr. Karber had the opportunity to react to Professor Kaiser's suggestions and Ambassador Blackwill's suggestions, and I wonder if it might be useful to allow the two of you to have a chance to react for the record to his analyses of the other proposals that have been put forward and his proposal as well.

Professor Kaiser.

Mr. **Kaiser**. Let me react to my friend, Ambassador Blackwill's proposal. The significant difference between his ideas about how to relate nuclear arms control and conventional arms control and mine lies in the fact that he advocates unilateralism.

Senator **Wirth**. Could you say that again?

Mr. **Kaiser**. He advocates unilateral action, whereas I, with regard to the nuclear issues, have advocated a negotiating process. But in doing so, I did suggest that we should not link Lance modernization to the negotiations on common ceilings in a strict sense of the word.

In other words, we should have a concept that tries to do both things simultaneously, but we should not make Lance modernization subject to success in negotiating the level of SNF missiles down to the Lance level, because then we would create a "*droit de regard*" of the Soviet Union with regard to our modernization.

After all, they do have modern systems. We do not have a comparable modern system with the old Lance. I, too, have a certain amount of unilateralism in my proposal, insofar as I suggest that the Lance modernization should be sought after by NATO, but in the context of an alliance concept that tries to achieve a reduction of nuclear weapons.

At close look, the difference is, therefore, not as big. One of the other differences is that Bob Blackwill does not eliminate all nuclear artillery. This is really an important point, and I would like to invite my colleague Phil Karber to comment on it.

I have made the experience that most commanders regard the military role of nuclear artillery as highly doubtful, and nuclear artillery is precisely the kind of weapon that creates the political problems which we are talking about in Germany at the moment.

The enormous weight of nuclear artillery in the remaining 4,600 numbers creates the impression in the German political debate that most of the remaining nuclear weapons are actually usable only in Germany. And to eliminate what is actually a militarily not very useful weapon would make a great contribution to improving the political preconditions for a deal that includes modernization. That is why I think the exclusion of nuclear artillery would be a very useful step to have a comprehensive approach.

Senator **Wirth**. Ambassador Blackwill.

Ambassador BLACKWILL. Thank you, Senator Wirth.

Very quickly, first to continue on from Karl's point, I think that the difference between us has to do with the judgment of the direction that domestic German politics is likely to take.

And I am bold enough and foolish enough to disagree with a German about his domestic politics. But I do think that trying to both modernize Lance and to negotiate about that system and not connect them would be like trying to not connect the end of the month with receiving bills. I just think it's impossible.

And I believe that the Soviet Union would be very aggressive and very effective in arguing that there shouldn't be any modernization while your're negotiating about these systems, especially since the Soviet proposal would be to get rid of all of them.

I think there is a man on the street in Germany, and indeed in this country. To argue that there was something wrong with a 14 to 1 trade would require strategists to go door to door, because it is not obvious, I think, to nonexperts. Even to some strategists it is not all that obvious.

Now, on the subject of Phil Karber's points about the proposal that Jim Thomson and I put forward, all his points I think are well taken. This is not a perfect idea; it is just the best one we had.

I would point out, however, that his concerns about getting at those forces in the center we share, and the question is how do you best do it. I think that if you were, as we proposed, to require the Warsaw Pact to get rid of 30,000 tanks overall and half their tanks in the center, then you would get at the problem that you are worried about, which is both the forward deployed Soviet armor and their reinforcement capability, especially from the Western military districts.

My concern about a United States-Soviet first phase proposal is that, in my view, it would bite dangerously into NATO's operational reserves, and it is not obvious to me who would replace them. I think it also complicates force to space ratios in central Europe.

I think that it would make, through no increased commitments which I believe would have to be undertaken, West German and other allied mobilization more complicated. It would leave untouched the Soviet forces in the U.S.S.R. It would block, I think, some NATO defense improvements, again through no increased commitments, with in my judgment insufficient concessions from the East.

I think it would give Moscow few military incentives to proceed beyond the first stage. And this committee would know better than I, but I worry that those withdrawn U.S. forces might actually leave the active service if they had to come home in current budgetary circumstances.

Finally, as important, I think in the aftermath of the INF Treaty a U.S. proposal to cut significantly its divisions in West Germany could further persuade our allies that the United States was on its way out of Europe and their nuclear guarantee no longer had much credibility.

Now let me conclude by saying that this is not to say that if there were an arms control agreement with respect to equal tank and artillery ceilings in the Atlantic to the Urals, and in central

Europe, that the United States would take none of the NATO reductions.

Of course it would. But I believe that that is a subject better left until a negotiated solution is in sight with the Soviet Union.

Thank you, Senator.

Senator WIRTH. Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

Mr. Chairman, there is a central theme that seems to be emerging from not only today's discussions, but the entire hearings. And it is the need, as Mr. Karber just concluded in his remarks, that there is the need to have a better understanding of the trends in the NATO and Warsaw Pact military balance and of NATO's priorities for modernizing its conventional forces and remaining nuclear forces.

And I do not pretend that I know all those answers, but I think it was clear at the Wehrkunde Conference that we attended just last weekend that some of our allies are deeply concerned that the Soviet Union will attempt to exploit conventional arms reduction talks and will capitalize on unofficial Western estimates of the military balance when they feel this will allow them to claim that they do not need to make asymmetric force reductions or to demand that NATO make asymmetric force reductions in turn.

Mr. Chairman, I would like to circulate to the committee a graph and some information that illustrates that point. It has been provided by a top West German defense official, and it shows how a recent estimate of the balance in the Soviet publication Tass compares with the figures used by the German Ministry of Defense.

You may wonder why I use a comparison compiled by a West German Defense Minister. The fact is that there is no American assessment, so I am forced to use it.

I think it is clear that if the Warsaw Pact negotiates force reductions on its terms, it will attempt to shift the NATO-Warsaw Pact balance even further in its favor. It is already clear that the International Institute of Strategic Studies and similar unclassified sources, however well intentioned, are providing data which the Warsaw Pact can use to this end.

These data lack comparability and accuracy and can do serious harm, in my view, to the NATO alliance. There is only one way to deal with the situation, Mr. Chairman, and that is that we need a comprehensive, unclassified net assessment that can portray the NATO-Warsaw Pact conventional and theater nuclear balance in unambiguous terms.

There is only one source of that information in my opinion, and that is the Department of Defense. Everybody is entitled to his own opinion, but no one is entitled to his own facts.

And we can only make an accurate assessment of the impact of the INF Treaty, conventional force reductions, and further cuts in NATO's remaining theater nuclear weapons if we have the facts.

Mr. Chairman, I was pleased that in the hearing yesterday Senator Levin, who has worked so hard on this issue of trying to make an assessment of the balance or imbalance, has agreed with me that we need a definitive assessment from the Department of Defense.

Hopefully all the members of the committee could join in making that request of the Department of Defense in order that we can properly assess what and how the very important recommendations by the witnesses today can be implemented.

I wonder if I could have responses from Mr. Blackwill and Professor Kaiser as to whether they are in agreement with what I view as a compelling need. Professor Kaiser?

Mr. **Kaiser**. Senator, I find your proposal not only extremely interesting, but it would indeed be very helpful, because it is a fact that we have conflicting assessments. They are on the record. They are used in the political debate.

And there is no doubt that the Soviet Union will use those assessments that are particularly favorable to her point of view. We do have a problem here, and that is particularly relevant when it comes to assessing conventional ratios and the relevance of conventional units.

So if an assessment could be done and be done soon with authority, that would be most helpful. This is particularly true for the German debate, where we have enormous differences in assessment, with some people simply analyzing away existing disparities in order to support the varied prescriptions that they have. I endorse your proposal.

Ambassador **Blackwill**. I feel very much the same way, Senator. Indeed, I think the first step has to be a U.S. assessment of the kind you describe, and then we need a NATO assessment as well, a public NATO assessment, so that we can all sing from the same sheet of music here.

When I was in Vienna through last July, I was constantly frustrated by my incapacity to quote NATO agreed figures in supporting the alliance's, in my judgment, correct view that the Soviet Union enjoys conventional superiority.

And in fact, I think I would take it a step further than Karl. It is true that the Soviets have in the past selectively quoted from Western sources to argue that the balance was not as bad as NATO had said. But I think it is going to get worse.

I believe that within the period ahead Mr. Gorbachev is going to put his numbers on the street, and we are leading with our chin if we do not have them out there first. It is paradoxical, to say the least, that our democracies cannot manage to put into the public numbers on our force structure and armaments before the totalitarian Soviet Union is able to do so.

I mean, that is passing peculiar, I believe.

Senator **McCain**. Except they do not have to stick as closely to the truth.

Ambassador **Blackwill**. That is not an impediment that they struggle with, I admit.

But I think that what will happen—and I will conclude here, in picking up on another point Karl made. What will happen is, if they get their numbers on the street first and they are quite different from the ones that Phil has in his presentation today, then the folks who are sympathetic to anti-NATO views across Europe, including in the Federal Republic, are going to pick up those numbers and go with them to the German public.

And NATO really very much needs to get its own version of the story out.

I would even say one last thing, and this follows on from Senator Levin's "Beyond the Bean Count" study. I think that NATO needs not only charts of the kind we have been talking about, which show the balance, the numerical balance, but also a sophisticated explanation that citizens can understand about why the Soviets enjoy the superiority they enjoy, for instance beginning with the fact that they are going to attack us and they are going to choose the place and the time and the means of attack and so forth.

And there is no such argument, there is no such coherent argument, anywhere in the alliance and anywhere, as far as I know, in national governments in NATO.

Senator McCAIN. Thank you, Mr. Ambassador.

I might mention that I met with Defense Minister Woerner, who we all know is going to be the new Secretary General, and I discussed with him the requirement I feel for an assessment from NATO.

Perhaps it might have to be a personal one from the Secretary General so we can avoid all those wickets that would give us merely a bowl of pablum. And I followed up with a letter to him recently and he seemed agreeable to that.

And perhaps that would give us a reasonable comparison between our assessment and the NATO assessment. With your indulgence, Mr. Chairman, I would like to follow up with Mr. Karber on the same line of questioning.

If we do get this assessment, Mr. Karber, how do we know or how can we ensure that this will be a credible assessment? As you know, from time to time DOD assessments have not had the highest credibility. How can we be sure?

I think we are in agreement we need it. How can we ensure it is credible?

Mr. KARBER. I think the answer to that is detail, Senator. I think it needs to have three characteristics to it.

One, the counting rules need to be comparable and militarily relevant. All too often, for example, those documents that people do not find credible have the right numbers in them. In fact, it is interesting what a bad reputation, for example, "Soviet Military Power" has and how few people have ever been able to find a wrong number in it. But it loses credibility when it compares the U.S. Army to the Red Army and they are sitting 10,000 or 12,000 miles apart. I mean, that comparison is interesting, but basically irrelevant.

And so it seems to me the first thing is to have a comparable focus in the relevant balance areas, not to put out these aggregated numbers from the North Cape all the way to Anatolia, but actually focus it.

If you want to go geographically wide, then do it going subregion by subregion and then reserve areas. But still focus on the areas that count. Don't wash it all out with these gross numbers.

Second, we need to use consistent counting rules. All too often we use counting rules that are not consistent. That is a problem that has far more affected the civilian balance data base community than it has the Department of Defense.

And third, we need to make those assumptions and data analysis transparent. If anybody puts out a chart and puts less than a couple of pages of explanation on what went into the chart, they are not doing a service, because they are in essence appealing to authority, not rational analysis. They are saying: Trust me; here is my quickie version of the balance.

What there needs to be is an explanation of how those numbers are derived, including in my view some estimate of the uncertainties. For example, I think there are large uncertainties, not only in that IISS figure I showed and criticized of nonactive Warsaw Pact equipment, not only open-source material, but I believe also in closed-source material. Also, there is an asymmetry of openness on the two sides, and we need to be able to get that estimate if we are ever going to have a verifiable conventional arms control agreement. The irony is, we know where their damned tanks are and so do they, and we are not kidding anybody by stamping "secret" on top of it.

I am not arguing that we should be giving highly specialized unique collection assets away, but if I can put that tank battalion chart out, a ministry of defense or the Pentagon can put one out for everything else, and in that level of detail, without compromising anybody's security.

And to me, every time I have been challenged, being able just to point and say: You want to know where I am getting my counts? It is from that right there. You count them up. I have laid it out, not only in a number but on a map. I say that there is a unit there. I find that that can be a very compelling argument. And it seems to me that it is not just a matter of summary statistics, but you have got to have that transparency and show how you got the numbers and basically where they are. Then you can transform the subject of the debate into a discussion of what the numbers really mean, as opposed to this undermining, this eviscerating of Western credibility that is going on, as one friend described it a sucking chest wound, all over the alliance. And I think it is going to get worse.

Senator McCain. What I find impossible to understand is that those who want to keep this information classified, for whatever reason, do not understand that if we do feel there is a need to correct this imbalance by more expenditures of the taxpayers' dollars, that the American people will have to have this information and have to be convinced that there is a compelling need to spend these moneys.

And they are not going to support those decisions if they are not privy to the information I think we can provide.

Mr. Karber. Could I just add something there, Senator? If we are talking about 5-to-1 asymmetric reductions, it is one thing to go and rattle numbers to get a little extra money out of the coffers, but that is nothing compared to holding the Western solidarity for 5-to-1 asymmetric reductions, large-scale reductions, militarily meaningful reductions, changing an unstable balance into a stable balance.

You are going to need all the public support and public information you can possibly muster, because that is an enormous challenge.

Ambassador Blackwill. Could I add, Senator, just one point?

Senator McCAIN. With the indulgence of the chairman, please go ahead.

Ambassador BLACKWILL. Mr. Chairman, with your permission, in addition to the problems that we have been discussing, there is one other which I would call to the attention of the committee, which is that there is now a robust industry among the peace institutes of Europe which is defining away the conventional problem we face away analytically.

Now, when one takes apart their analysis, it is pretty shoddy and their numbers are sometimes invented or distorted, but it is there. And it now, unfortunately, has a few competitors, and none from NATO, and none from NATO governments.

So folks are going to be persuaded one way or the other on this subject.

Thank you. Thank you, Mr. Chairman.

Senator McCAIN. And I do not think it is confined to Europe.

Thank you, Mr. Chairman.

Senator WIRTH. If I might add to what Senator McCain has been suggesting, with which I agree completely, it seems to me it is extremely difficult for us to go back to our constituents, which we have to do, to justify $283 billion or whatever it is, and ask for any kind of an increase, as Senator McCain was suggesting, if we are not able to tell people why that is needed.

Second, it seems to me it is extremely difficult for us as an alliance, following up on what Professor Kaiser was suggesting, to presume that there is some kind of solidarity within that alliance or some kind of shared information within that alliance if we do not even have shared information on what that alliance is all about and what it is for.

So the political imperative would seem to exist domestically and in terms of NATO.

The reason I wanted to add that was not only to agree with what Senator McCain was suggesting, but to ask you if you could perhaps give us a sense of what historic perspective there may be on this information. Is it relatively new, that we have not had this kind of a net assessment?

Has this problem plagued the alliance since the beginning? What can you tell us about the evolution of our understanding of our capabilities, the Soviet capabilities, and the so-called net assessment?

Ambassador BLACKWILL. Phil Karber is the world's expert on this subject, so let me pass the mike.

Mr. KARBER. Just very quickly, at least since the 1960's one of the major revolutions in analytical understanding was really wrought by Secretary McNamara and the systems analysis group when they methodically used consistent, comparable, and transparent analysis to analyze the various counts.

And it was not just a statistical run-up of raw numbers, but they would also use a numerical method to look at the quality of systems, readiness, and so forth. It was a fundamental breakthrough in how to think about things.

That was followed in the early seventies by the Packard Commission. The blue ribbon panel on the reorganization of the Pentagon recommended that the Secretary of Defense ought to have a director of net assessment who reported directly to him.

In 1973, following the Yom Kippur war, Secretary Schlesinger appointed a director of net assessment. Over time, that office has gone from reporting to the Secretary of Defense to the Deputy Secretary of Defense, to the Under Secretary of Defense, to the Assistant Secretary of Defense for International Security Affairs, that is, Mr. Third World. And yet this is the group that is supposed to be doing global and European balance assessments.

There is something wrong there, I think, and it does not reflect productivity. The declension does not reflect the productivity of that office, in my opinion.

And there have been other agencies within the Pentagon, intergovernment agencies that looked at the net assessment area.

The big problem is we basically kept our light, our candle, inside our lunch pail. That is, those of us who play peek-a-boo look and say: "Oh, yes, we understand the balance." And we go participate and say: "Trust me; I was there in Vienna; I know."

And that has held up surprisingly well as a convincing argument, up until about 4 or 5 years ago. And I do not know what the cause for that cynicism—maybe it is a healthy sign of people willing to draw their own conclusions.

But the mere appeal to authority does not work any more in trying to convince people. They need to see the explanations. And the problem is not that there is a lack of data, or that there is a lack of trend data. The problem is that there is a lack of explanation of that data to the public.

Senator **Wirth**. In the time remaining let me ask Professor Kaiser a followup to the initial part of his testimony, in which you were talking about the need to have a discussion on the exchange of doctrine, and that we had to take significant steps to build on Stockholm and increase transparency.

Is that a fair summary of the earlier part of your testimony?

Mr. **Kaiser**. Yes.

Senator **Wirth**. One, on the exchange of doctrine, is it useful to add to that or should a part of that be an exchange with the Soviet Union on each side's understanding of what the other's capability is? Is that part of what we ought to be doing in that area, to take a McCain analysis and apply that to our discussions with the Soviets as well?

Mr. **Kaiser**. Something like that is the purpose of that exercise, that if the two sides sit together they should review the existing capacities and actually compare their data and look at the doctrine behind the use of those potentials.

And in doing so, of course, there are going to emerge disparities of views. It might very well be, in fact, that we are going to have a huge data discussion coming up, a discussion of data that are very differently interpreted by the two sides.

But we have inevitably to go through that, and we have to some extent do it publicly, because I am convinced that our own public, for the reasons that we just discussed, needs information about the real facts and how these different potentials can be used.

In other words, it is not enough to compare figures; it is important that the different military potentials are considered in the context of their potential use.

And once we do that, the facts assume a different political importance. This is something about which in my opinion the Western public does need more information.

Senator **Wirth**. It seems to me it is to our real advantage as industrial democracies to have that kind of a discussion out as much as possible with the Soviets, and you are suggesting that in your testimony, that that exchange of data and public awareness of data with the Soviets is to our advantage, as well as a discussion of doctrine is to our advantage.

And if in fact one of the crises that we are facing, which I think all three of you are touching upon, is a sense of coherence and a sense of perhaps some augmented political will in the West, we can only gain by having that kind of a discussion.

Mr. **Kaiser**. Senator, I agree with you. To those who deal with these questions professionally, the disparity between the defensive claim of the Warsaw Pact and the offensive reality is quite clear.

But that is not necessarily true for the public, and we have to underscore that point by providing and explaining the data. That can be done in such an exchange. I would even argue it might be useful for the Soviet side as well, because we do know that there is an internal debate within the Soviet Union and some of it is reflected in articles and a certain amount of public discussion about whether the kind of offensive character that their doctrine has is really useful and should be sustained.

So in addressing that subject in a round of discussions, we might marginally influence their own internal debate.

Senator **Wirth**. Senator Thurmond.

Senator **Thurmond**. Thank you very much, Mr. Chairman.

Ambassador Blackwill, we are glad to have you with us. And the other two distinguished gentlemen, we are pleased to have them with us.

In your prepared remarks, you indicated that one of the Soviet objectives is to attain a graduated withdrawal of U.S. forces from Europe as time passes. Does even an asymmetrical reduction of United States and Soviet forces meet this requirement, given the distances that we must travel to reinforce NATO and our lack of lift capability?

Ambassador **Blackwill**. Well, Senator, I think it is precisely because of the geographic asymmetries and our lack of mobility that they do wish us to go home. And it is for that reason that I do not support myself a first phase United States-Soviet proposal.

I think the controversial point that I was making—and it is an interpretive point—is captured in the word "gradual." I think that the Soviets are hesitant to see a spasm of U.S. withdrawal because I think they worry about what would be its effects on the center of Europe. And so I believe they would like us to go home 50,000 a year or so, so that they could at each point see what effect that was having on European stability.

But I am unpersuaded that they have changed their view of this myself, and in fact I believe that they understand very well that if they are able to proceed with their preference to denuclearize Europe, the American forces will come home in those circumstances.

Senator **Thurmond**. Now, I would like all three to answer this question, Ambassador Blackwill and Professor Kaiser and Mr. Karber. One of the most important issues when considering the East-West balance is the lack of strategic depth in NATO and the very long line of communication from the United States.

Given the fact that the United States cannot meet the current requirement of 10 divisions in theater within 10 days, how do we structure an arms control agreement that compensates not only for the Soviet advantages, but prevents exploitation of our inability to reinforce NATO in a timely fashion?

Mr. **Karber**. I think Senator Nunn's proposal, if I may be somewhat liberal in interpreting it, hit it quite clearly when he argued for United States-Soviet withdrawals and suggested that the Soviet withdrawals are not allowed merely to go into their western military districts. Those districts become exclusionary zones. That is, whatever the assets there now are topped off and any assets withdrawn from central Europe would be withdrawn east of the Urals.

If in fact you have large asymmetrical reductions numbers on the order of 5-to-1, as Senator Nunn proposed—that is, 2½ U.S. divisions to 13 Soviet divisions—and the Soviets move those 13 divisions east of the Urals, in fact it is not faster or easier for them to move those 13 divisions back to central Europe than it is for us to move 2½ divisions by ship from Norfolk.

The numbers and the rail system just compound each other. So there is a depth in the Soviet Union that one can get to that you can in fact equate to the "black hole" of the Atlantic that we have to cross, and a way of compensating for it or making it more attractive is larger asymmetric reductions on their side.

Now, it is true that the 30 Soviet divisions still in the western military districts could still move in and NATO would be down those 2½ U.S. divisions or wherever they came out of. But that is an overt act of necessary reinforcement prior to hostilities.

I would argue that every military assessment I have seen in every NATO country is that, if you have a Soviet withdrawal of some 13 divisions, the threat of a "standing start" attack withdraws with those divisions if you do not cut NATO's defenses by more than 2½. So the standing start option, the preemptive option, essentially goes back with those divisions. Now, yes, the Soviets can bring 30 divisions back, but to bring those 30 divisions back takes at a minimum about 10 days of redeployment, probably more than 2 weeks.

In the process of that, we will have very overt, clear indications, more overt and clear than we will ever have in probably any other contingency, of a large force coming back, which allows us the clear option of redeploying our forces, digging in our terrain, reinforcing with U.S. tactical air, some 1,000 aircraft. That addition of warning time and the reduction of their preemptive option is very stabilizing.

I would point out, in regard to Bob's comment to your last question, yes, the United States two divisions might go back. If you think about it, what is the ratio today? Today after mobilization and reinforcement, based on the current POMCUS set, we would have 10 divisions to their Soviet 26 in Europe. That is active and POMCUS. With Senator Nunn's proposal, after their 13 divisions go home and our 2½ are gone, what is left in central Europe but 8 active and POMCUS U.S. divisions to 13 Soviet. Now, I think that is a good trade. I think that would be stabilizing. And I think both yours and Bob's points are very valid, but they are not general truths. That is, one can structure a proposal to account for many of those asymmetries and have stability.

Senator **THURMOND**. Professor Kaiser.

Mr. **KAISER**. Senator, I agree with everything Phil Karber just said.

I would like to add one further thought. What he was analyzing was the case of a far-reaching withdrawal from the center of Europe to either beyond the Urals or across the Atlantic. In addition to that, one might think of schemes of partial withdrawal of not necessarily American but other European units.

And then we hit the problem that we do lack depth for one political reason. The Warsaw Pact units which move east from the front should not end up in Poland. That is an obvious interest. So, in order to gain depth we unfortunately have the problem that France has to face the question whether it is willing to possibly host units that move backward.

And that remains open for the time being, but it is a subject that should be raised within the alliance and that we are discussing with the French so that we have more flexibility; in other words, there should be an alternative between moving units from the border to, say, the western border of Germany and the Benelux and then nothing else between that and moving to the United States, which is the present situation. But that requires a change of French policy and a reconsideration of where they stand in that process. And that is totally open at the moment.

Senator **THURMOND**. Ambassador Blackwill, do you agree with these gentlemen, or do you have a different view?

Ambassador **BLACKWILL**. I have a different view, and I will put it like this.

And let me just say parenthetically that I will buy Karl a good bottle of champagne the day that France agrees to take U.S. forces again on its soil.

Chairman **NUNN** [presiding]. Wait a minute. I want to get that down now because I was over there last week. How about including me in on that one?

Ambassador **BLACKWILL**. I should warn you. I never go above $3. [Laughter.]

Chairman **NUNN**. Cheap champagne. It would probably be a while before you would have to pay off, I would say.

Ambassador **BLACKWILL**. But I want to make a conceptual point I think to respond to Phil—and we've gone back and forth on this subject now for a year or so. I don't think the race necessarily is between the 13 Soviet divisions which go east of the Urals and the 2 that come to CONUS. It's between the two that come to CONUS and the ones in the Western MDs which have increased their readiness and weaponry in the context of the 13 going east of the Urals.

Now, it's quite true that withdrawing that force would, I think, take the standing start attack away and also increase warning, but that's a separate issue than who wins the race to the front in central Europe, and I don't think that they're racing with those 13 divisions east of the Urals. In fact, I myself would be very surprised if they took them east of the Urals. It's too expensive. They don't have a sufficient population base. They don't have the infrastructure. It would be enormously expensive especially if they wanted to save money. So, I think that they would be coming from the Western MDs, and they wouldn't look like the Soviet divisions in Western MDs today.

Mr. KARBER. But, Bob. If I could, Senator.

Ambassador BLACKWILL. We have an intramural discussion here.

Mr. KARBER. Really the comparisons—and I think we need to be very clear about it—is between roughly 4½, 5 U.S. division equivalents today to 26 forward Soviet units in a standing start. If there is a standing start today, the chance of us being able to fall in on that POMCUS is very low, very low.

Now, the chance of us being able to use those large war reserve stocks and maintenance float that IISS and a lot of people like to throw into the balance is also very low because that assumes a stable battle front that you can use individual replacements in.

Now, if you pull out 13 Soviet divisions and if you buy the argument that the standing start goes out, to bring in any from the Western military districts buys time. My point is that that time buys us terrain preparation, which by every count that I've got, if we've got more than 6 or 7 days of terrain preparation, you've just increased the defensive value of our forces by about 30 percent. It buys us time to bring back the POMCUS, and most importantly, it buys us time to do what Americans do best, which is fly very hot tactical aircraft. And they do not take as much time to bring in as ground troops. We've designed well, so we fly well and we arm well.

So, our contribution in air comes back fast enough so that we're not landing our rapid reactors at the same time that their bombs are landing on our same air bases. We've got that mobilization and warning time while they're redeploying. And I think that's significant.

Senator THURMOND. Thank you very much. My time is up, Mr. Chairman.

Chairman NUNN. Senator Thurmond, do you want to follow up or do you have any other questions?

Senator THURMOND. Well, I have one more.

Chairman NUNN. Why don't you go ahead.

Senator THURMOND. I would like each witness to respond to this question. In your opinion is the conventional imbalance of greater importance than the strategic imbalance? And do you think that we should assign conventional arms reductions a higher priority than strategic weapons reductions? I'll start with you first, Mr. Karber.

Mr. KARBER. You've got me on the horns of a dilemma, Senator. I'm on the record as having told the Secretary of State when we did the analysis before the Reykjavik Summit that on the Eurasian land mass 55,000 main battle tanks are a strategic weapon. So, I guess I can't squirm out from that one.

I think if we look in terms of the NATO alliance, the conventional balance is not conventional. It is of strategic import in terms of what it is we're fighting for, in terms of American influence, and in terms of how we get into that God-awful strategic exchange that we buy these strategic systems for.

I always have trouble thinking of how it happens unless it starts in a central European campaign where both sides are dependent on nuclear weapons integrated into their doctrine. So, it seems to me that conventional forces are strategic in the classic fundamental sense, and that they are strategic in a modern sense in that they are the trigger that pulls the big bang.

I think too often we have taken our arms control policy and negotiated horizontal to horizontal, strategic to strategic, INF to INF, conventional to conventional when, in fact, NATO's doctrine is a vertical doctrine linking conventional to direct defense deliberate escalation and general nuclear response. We are severing our own strategy by our own arms control approach. So, it seems to me that a little more integration on that and not treating them as mutually exclusive would be healthy.

Chairman NUNN. Is it fair to say that with INF—and I'm one who's positive on it overall—we really started negotiating the first agreement with the hole in the doughnut. Right? We started right in the middle of NATO's vertical strategy and we pulled out the middle part of it without having any vision in mind, at least for the first leg on the conventional and without having achieved anything on the strategic.

Mr. KARBER. In terms of that, Karl had made the earlier point that Lance was preferable to nuclear artillery for both deterrent and for military discrimination. And I would argue that the Pershings are more useful both for deterrence and for discriminate deliberate nuclear escalation by an order of magnitude than were the Lances.

Yes, sir, in many ways we started at the wrong end of the spectrum picking the systems that had both the greatest discriminate military utility as well as geostrategic deterrent. And now we are left trying to fill in the gap by giving away artillery and depending on 110-kilometer Lance. It just doesn't make any sense either in target coverage. The target coverage in central Europe that we need to hit deep—it's a finite target set—are the Vistula-Oder bridges and the trans-shipment points to the Soviet Union and Soviet air bases in southwestern Poland. Lances aren't going to help out significantly there at all. They are going to dig up a lot of terrain, kick up a lot of radiation. It's not a discriminate strike.

I think you hit the point exactly, Senator Nunn. We started at the wrong end of the doughnut. Now, that we're already halfway through this delightful meal, I'm not sure that that's rationale to turn around and have pizza, though.

Senator THURMOND. Professor Kaiser.

Mr. KAISER. Senator, I would argue from a European perspective, the imbalance in Europe is a strategic problem. It is overwhelming. It is present. It is near. All major German cities in the center, for example, are only within tank hours from the Soviet army. That is why—and I said that at the beginning—the forthcoming round of arms control on conventional affairs is so important to the Europeans, because it deals with what to most Europeans is the central problem, namely the imbalance.

And that is, indeed, the only one that could start war. War is not going to start as a nuclear war. If ever there is nuclear war, it will come as a consequence of conventional war. That is why I do not see an either/or in these two issues of dealing with the conventional imbalance and of dealing with strategic weapons. I think most Europeans very much welcome that we do both, and there is general support in Europe that START succeeds and that that is a step in the right direction.

If I may, Mr. Chairman, add a comment to what Phil Karber just said. While it is true that INF has taken out something in the middle of the escalation ladder, we must keep in mind that even after INF, particularly if we do go through a process of modernization, we do maintain and can, in fact, improve systems that can reach Soviet territory. In other words we maintain a certain flexibility so that we can deter war by creating an incalculable risk for the aggressor in affectively touching vital interests. And those vital interests are targets on Soviet territory.

We will maintain planes. We can improve them. There is the option of air launched and sea launched cruise missiles in the future. It is true that a modernized Lance doesn't have a big range, but it would still increase the flexibility if we extend the range and modernize it. But we have the other systems too. And I think that is the kind of thing we have to do given the post-INF environment.

Senator THURMOND. Ambassador Blackwill, would you care to express yourself?

Ambassador BLACKWILL. I want to agree with the implicit point in your question. And with my two colleagues, I think that if one compares the destabilizing character of the conventional balance in Europe versus the destabilizing character of the United States-Soviet strategic balance, one worries a lot about the first than the second because that's where the war would start.

As for the INF Treaty, I, like our chairman, support it, but I do so holding my nose for the reasons that Phil Karber suggested. We have to do it for political reasons and alliance integrity, but it has all the problems that Phil suggested and many more in my judgment.

Chairman NUNN. Thank you, Senator Thurmond.

Senator Exon.

Senator EXON. Mr. Chairman, thank you very much. I want to follow up on the interesting questions and answers that were just provided to the questions by Senator Thurmond.

In the context of the INF Treaty, and in the context of the oncoming or on-rushing, depending on how you want to phrase it, START Treaty, let me pose this question to you gentlemen. In your view will the INF Treaty enhance, at least from the short-range standpoint, the superiority of Soviet conventional forces, which we all view with alarm?

Ambassador BLACKWILL. Yes in my judgment, Senator Exon.

Mr. KARBER. Yes.

Senator EXON. Professor.

Mr. KAISER. The conventional forces will be able to be brought to bear even more than before for that very reason. We have after and in connection with the INF agreement to make sure that what remains as the bottom line of flexible response is adequate.

Senator EXON. Now, to follow up to that, should we proceed forthwith and in all haste, on it, which is evidently the current plan of the administration and seemingly the Soviets if they can get what they want? If we proceeded with START and had that in effect on top of INF without addressing the imbalance in favor of the Soviets with regard to the conventional forces, wouldn't that just magnify even further our joint concern about the superiority of conventional forces on the part of the Soviets?

Mr. KAISER. Well, Senator, if START is successful, and assuming that all the many questions and problems associated with it can be resolved satisfactorily, it does reduce the options for the Soviet Union to use strategic weapons in a tactical mode. And that is something Europeans care about.

In other words, as the SS-20 disappears, we are aware of the fact that the Soviets could use strategic systems to deal with European targets. If you reduce the number of strategic systems, you reduce those options. So, from that point of view, but also from others, START can be viewed positively, always assuming that it is a satisfactory agreement.

Ambassador BLACKWILL. Senator Exon, I don't myself support linking progress on conventional arms control to progress on START. I believe it is possible for the United States to make sensible proposals which would improve our security irrespective of what happens in the other negotiation. It is also possible for us to make proposals which would make it worse in the other negotiation. And we obviously should avoid that.

But in any event, I think politically—and Karl could speak to this more authoritatively. Politically I don't think that it would be acceptable in Europe for the United States to say that we will be negotiating on START which reduces the threat to the American homeland, but we are not going to negotiate on the conventional weapons which in the first instance are just across the border facing you in East Germany and beyond.

So, I think the politics of it is that we have to proceed with them in parallel. I don't think we could sustain within our alliance a linkage between the two, but I repeat I believe it is possible to make proposals which would serve our interests in each and needn't be linked.

Mr. KARBER. I think if you're going to have an INF Treaty, you have to have a START Treaty that captures SS-25s and 24s.

Senator WARNER. What does the witness mean by "capture"?

Mr. KARBER. That is, you need to be able to capture in the sense of controlling by numerical limitations.

Senator WARNER. I don't mean to impose on the Senator's time, but there's the issue of whether one has mobility or no mobility limits. You are kind of mixing things up there.

Mr. KARBER. No. I think the issue is the capacity to fill in with strategic systems, via depressed trajectory attack, for the systems that were withdrawn, the SS-20s. The Soviets have had throughout the 1970's about 200, if I remember correctly, SS-11s that were used in a depressed trajectory theater attack mode before the SS-20s went in. And so, if that number keeps building, if they were unconstrained by a START agreement, one could in essence be pulling out some systems but, in essence, just replacing them with others. And because they are mobile, I think there is then in that environment greater ambiguity as to what their various roles are. So, it seems to me that controlling the SS-20 makes sense only if the similar systems that would fulfill its role or potentially pick up its role in the strategic level are also controlled. If they're not, numerically or for fairly high levels, I think we haven't gotten much.

Senator Exon. Gentlemen, let me thank you for your answer to my questions. I'm not sure it clarifies it a great deal in my mind. I am for the INF Treaty. I think the risk is worth taking even though you all agreed that it enhanced, if anything, their superiority in the conventional area. I am willing to take that risk.

I guess what I'm concerned about though, is that we have approved INF and now we're going right on to START almost ignoring the conventional balance that we're most concerned about here. Isn't there more likelihood of an outbreak of hostilities if we do not have the deterrent, if you will, to mix up a phrase generally used in ICBMs and even field weaponry, the deterrent of a force in the conventional area that could be a deterrent to a Soviet attack? Is that not a concern that we're going to try and solve the nuclear part of the equation?

Certainly none of you would suggest that if we could go back to what the President supposedly suggested at Reykjavik that we eliminate all of our nuclear exchange potential at all levels—you would not be recommending that we do that, would you, without beginning to recognize or do anything at all about the superiority that they have in conventional forces?

Mr. Karber. No, sir, I would not recommend doing that. I think that around both Europe and Eurasia, there is a proximity of fairly large mobilizable Soviet forces.

In a way we are asking ourselves and our allies to do something that's a lot harder; that is, we have essentially a bunch of small allies compartmented around that Eurasian perimeter, and we're a long way away. And we automatically are starting on the defensive. And so, we start with a number of disadvantages conventionally.

On the other hand, if one looks at the general trend and the relationship of battlefield and theater nuclear weapons to conventional forces, I think there is a declining military rationale and credibility to strategies that depend on them to offset military balance as we get closer to the next century. I guess what I'm saying is there was a time when one could actually talk about battlefield nuclear weapons and talk about them having a significant, decisive effect, particularly when only one side had them. Now both sides have them. Now at least in my view, the Soviets are probably fielding their equivalent of an enhanced radiation warhead with at least some of their artillery.

It's not at all clear that the neutron bomb that was supposed to be so great against their tanks isn't also even more effective against our dismounted infantry in static positions. And as one looks at using nuclear weapons in those theater contexts and as it escalates further, what you generally find is the side that was hurting to begin with just loses faster. So, it's not clear that that dependence in a military sense is as robust or self-evident as it was even a decade ago.

There is, though, as I'm sure Bob and Karl will point out, a very strong, perceptible political influence that an attacker has to take those assets into account.

Chairman NUNN. Senator Exon, may I interrupt a moment? Senator Warner has a meeting, and I do too.

Senator EXON. My time is up. Go ahead.

Senator WARNER. Senator Nunn and I must meet with the Secretary of Defense momentarily. I apologize for going because we have parallel hearings in progress with the Intelligence Committee. Senator Nunn and I overlap the two committees.

Just a simple question and hopefully you can have just brief answers. In 1972 I remember being in the Department of Defense and bidding Stan Resor good luck as he went over as the first ambassador for MBFR. Am I not correct on that, Ambassador Blackwill? You served well in that capacity.

Why is it we attach such great expectations today to the CSCE process and the mandate which then goes to the 23 nation forum, which includes France. Why will they have a degree of success greater than you, Ambassador, and others who have worked on MBFR for 14 years?

Ambassador BLACKWILL. First of all, I think if I had to bet, I'd bet they won't. I think the wish is the father of thought here to a significant degree.

But also there are changed circumstances. The INF Treaty has, as we've seen this afternoon, made us all more preoccupied with the conventional balance and arms control. We have a new Soviet leader who continues to surprise us and who says he wishes to save money on conventional forces. We have the reduced reliance in our strategy over time of nuclear weapons. And so, I think there are some objective things that have changed.

But I think the fundamental question is is the Soviet Union going to negotiate away its conventional military superiority. And I do not believe it is going to.

Senator WARNER. What is the motivation for them to do it?

Ambassador BLACKWILL. Indeed. What is the motivation to do that? Let me conclude by agreeing with Senator Nunn earlier that I would not be at all surprised to see unilateral Soviet troop withdrawals from eastern Europe on the order of three to four divisions across the border into the western military districts for its political effect and because they would avoid any stringent verification so they could introduce them and so forth.

Senator WARNER. Could you allow the other two witnesses to respond?

Ambassador BLACKWILL. Yes.

Senator WARNER. Professor Kaiser.

Mr. KAISER. Senator, the only difference between then and today is, indeed, the Soviet factor, the leadership that professes to want to change policy profoundly. That means they may have the following reasons for giving up what was definitely and remains an enormous advantage in conventional superiority and which cost them dearly: A, that they might save money, which they won't right away. They will save it in the future because disarmament at the beginning costs money. It saves money only in the long run. They could improve their standing in the world, whatever that is worth.

Gorbachev could score external success, which will help him domestically in a reform process, which is very difficult, in which he has opposition to face. Then I could come up with a fourth reason that he wants to maintain a generally positive atmosphere between East and West because he needs economic concessions from the West. Those are the only reasons.

But there is no certainty about either of them. We can only find out by testing him in the negotiations.

Senator WARNER. Mr. Karber.

Mr. KARBER. I think we ought to talk as if they were potentially imminent and act as if they were never going to come. It seems to me that whether or not they have a probability of success, we have an obligation to ourselves to really think about defining a more stable order in central Europe, of educating ourselves and our own people about the unnaturally high concentration of Soviet forces—this is basically unique in looking around the world—and conveying to them that it's time for the majority of those boys to go home.

Senator WARNER. I thank the witnesses. I am now invading my chairman's time. I thank you, Mr. Chairman, for the courtesy of letting me lead off. I will join you momentarily. Thank you, gentlemen.

Chairman NUNN. I'd like to ask one question, I have a lot of them I'd like to ask, but I've run out of time.

Professor Kaiser, on page 5 of your statement you indicate the INF Treaty "has changed the context of the Montebello decision" and that this decision is inadequate if NATO is to "recreate a certain flexibility in nuclear options." My question is what is your understanding of the commitment of the NATO allies that we made at Montebello with respect to modernization? What is your understanding of what we actually agreed on? And then what does the Federal Republic expect, in your view, in the way of what you have described as a coherent and comprehensive concept of arms control and disarmament?

Mr. KAISER. Well, Senator, I can only speak for myself and not for the Federal Republic.

Chairman NUNN. I understand. I'm asking for your perception of the Federal Republic. My experience with you is usually that Karl Kaiser's thoughts find their way into policy very many times in the Federal Republic.

Mr. KAISER. Well, thank you. Hopefully this time too.

I think at that time—remember 1983 and the difficulties of the INF negotiations—an agreement of totally eliminating all systems down to 500 kilometers didn't look like a very probable outcome. At that time it wasn't clear that we would actually, as a result of arms control, take out the middle level which we did. We've done it now. It wasn't clear then.

And since that has taken place, we have to look again at what is left below 500 and see whether it is actually able to deal with the first phase of deterrence. We also have to look at the systems that go beyond 500 whether they fulfill certain functions which the systems fulfilled that we're taking out. That is what the reinterpretation of Montebello basically is about; we have to construct a package which deals with all of these questions and ties them to the elimination of certain systems.

I happen to believe, although there is some disagreement here, that nuclear artillery is militarily relatively useless and politically an enormous problem in the crucial country for the alliance which has to bear most of the domestic burden. And that happens to be Germany.

So, if you combine these things, I would argue you can produce something that democratically elected politicians who have a very difficult issue here, particularly in Germany, might be able to pass on to be endorsed by the electorate.

What I am really saying, therefore, is: put it all together, present it as an alliance proposal, and then try and implement it in some connected fashion without creating a mechanical connection between them, but a political one, because we should not tie everything with everything in order not to end up in paralysis.

Chairman NUNN. You are suggesting, if I understand it, a Western proposal that would eliminate nuclear artillery on both sides.

Mr. KAISER. On both sides and in full awareness that it cannot be verified; well, a certain amount of verification will be possible, but we all know it is almost impossible to be 100 percent sure. I trust that the East will implement such an agreement since it has the same military problems with nuclear artillery as the West. As Phil Karber said a moment ago, the function of nuclear weapons, particularly of weapons with a lower reach, is more and more shifting from a battlefield use to a political use in order to demonstrate political resolve to an aggressor. And nuclear artillery is useless in that connection. But systems that reach further still have that function. That is why we can take it out.

Chairman NUNN. What would you have? Would you then enter into a negotiation to get to equal ceiling on the short range systems after you——

Mr. KAISER. I would offer to the other side to take out nuclear artillery in negotiations; offer common ceilings on ballistic missiles roughly at the Lance level involving, however, for us the option to modernize and actually proceed with modernization, including some extension of the range; and tie that to an alliance decision to modernize the planes.

Chairman NUNN. Would you touch the planes, the dual-use planes, in arms control?

Mr. KAISER. Not yet, no. That should not be done, definitely not in the initial phase. Perhaps at a later phase.

Chairman NUNN. So, as you envision it, what you would have left would be equal ceilings—if the Soviets accepted your offer—at the Lance level, plus dual-use aircraft, plus standoff cruise missiles.

Mr. KAISER. Plus standoff weapons on planes, plus a few systems air-launched and sea-launched cruise missiles assigned to SACEUR.

Chairman NUNN. May I ask one other question? In Germany what will be the reaction, in your opinion, if America proposes a buildup of nuclear artillery?

Mr. KAISER. In the present context it would be very negative. It would increase the concerns that Germany has to carry a disproportionately high share of the nuclear risk.

Chairman NUNN. Do you think that would apply to all political parties across the board?

Mr. KAISER. I would think that applies to all parties.

Chairman NUNN. Would you say nuclear artillery is the most sensitive in terms of German public opinion?

Mr. KAISER. I would think that's the most sensitive one.

Chairman NUNN. Thank you all very much. This has been one of our most enlightening days here. I'm going to turn to Senator Exon for presiding and whatever questions other members may have. I thank each of you for being here.

Senator EXON [presiding]. Senator Wirth, you are next. Do you have any questions?

Senator WIRTH. Thank you, Mr. Chairman.

First of all, I have two questions, one about reasonable sufficiency and the second about Stockholm. If one approaches what Gorbachev has said and says, OK, he is sincere, there have to be significant changes made in the Soviet Union, it is to their political advantage, as you all have said, to push the rhetoric very, very hard—I mean, he's in a pretty good position—what if he is for real? Do we have a likelihood of being optimistic about what Gorbachev says about reasonable sufficiency and I understand defensive defense rather than an offensive-defensive posture? Do we have reason to believe that maybe this is on the level, that this is real, that there is a very significant opportunity there? Mr. Karber.

Mr. KARBER. Well, Senator, there is something very real there and it is operating at several levels.

The term "defensive defense" is a Western one developed by West Europeans, basically peace research groups who say there are structurally offensive weapons like the tank, the aircraft, and they would argue to abolish them.

There is no evidence that the Soviets have adopted any form of defensive defense. They play a beautiful fiddle to those groups who want to hear or read that into Soviet pronouncements. I think there is a definite Soviet game going on to impress people particularly of that political persuasion and terminology. And I don't take it very seriously because of who the Soviets are sending to play that game.

Now, I think there is some evidence that—I'm trying to choose my words carefully here—I think there is some evidence that at the higher levels, both in the Soviet party and within the Soviet general staff, there is rethinking about the relationship of offense to defense in a technological sense and the role that various forms of operations would have simultaneously in their own strategy. It's a long-winded way of saying in the past I think the general staff got a major piece of the party's budget by saying in the event of hostilities, here is the war plan. We'll have multiple simultaneous attacks in multiple theaters. We're going to move in offensively on their territory simultaneously in virtually every front.

What seems to be going on is a reconsideration of strategy in its classic sense—that is, a plan of action orchestrating simultaneous and sequential acts—where they are thinking now about some areas might be initially defensive and others would be offensive. They use these arcane examples with endless discussions over the battle of Kursk and what sector was offense and what was defense and how the nature is changing. And I think those are real. When Kulikov sent and begged, really begged, SACEUR for an audience and sent all kinds of under-the-table messages—and he was essentially turned down by NATO and Western governments—wanting military-to-military talks, I think he was serious.

And about the only thing that Karl Kaiser said today that I would have the slightest reservation on—and I understand and appreciate his logic on doctrine talks that are open—if there is real change in the Soviet Union, it is going to be military-to-military talks that really explore it meaningfully. The others—the temptation to play it politically is just too enormous for a good propagandist to let go. And I think there is some willingness on their part to at least discuss it to a certain extent.

But that does not mean that this interesting playing of options has suddenly turned them into a "defensive defense" crowd or that that mass of armor sitting in East Germany would turn around and back up into Poland and give up space in Eastern Europe in the event of a conflict. That armor is going one direction. They are still playing it in their exercises, and it is headed right for the channel ports.

Senator WIRTH. As you say, NATO turned down Kulikov in his request.

Mr. KARBER. Yes, sir.

Senator WIRTH. Are we now in a posture as NATO or the United States approving this kind of military-to-military discussion or encouraging them? Is that part of our Government's position?

Mr. KARBER. In all honesty, I don't know the exact status of that.

Senator WIRTH. I gather you're saying we should be encouraging that?

Mr. KARBER. I think it's healthy.

Senator WIRTH. Do you know, Professor Kaiser?

Mr. KAISER. Senator, as far as I know, there is a meeting between the American Secretary of Defense and the Soviet Defense Minister. And there have been some contacts within the military of both sides. But generally it makes a great deal of sense to have discussions between the military.

And if I may add a comment, Senator. Like Phil Karber, I believe we have to take seriously the ongoing discussion of new principles in the Soviet Union. But from there to the translation into actual policies that will lead to changes in production, deployment, dissolution of units, is still a long way. And that requires the imposition of political will from the top on the existing conservative military machinery.

But we shouldn't exclude it because there are now, after all, forces at the top that have reasons to reconsider their posture, which has been wasteful in many ways, economically as well as politically.

Ambassador BLACKWILL. Mr. Chairman, although your witness tomorrow from the administration will know definitively, it is my impression that NATO continues to be hesitant to have these NATO military-to-military contacts unlike the United States in a bilateral sense.

Second, of course you asked the $64,000 question. Does he mean it? Who the hell knows?

It reminds me of some folks from down on the highway wondering whether in the mountain meadow above them near Aspen the spring flowers are out. And somebody says, well, why don't we walk up and look. And that is precisely what we need to do. We can only do that through proposals. We have to walk up and look, and that means sitting down with these folks and actually specifically challenging them to turn their beneficent rhetoric into changes in their force posture.

And unfortunately, NATO has not yet been in a position to do that despite the fact we are now 2 years into this radical transformation in the way they talk about European security.

Senator **WIRTH**. It seems to me we are right at, from a number of the themes that I'm picking up, and understanding of what you meant, Ambassador Blackwill, when you talked about a snail's pace earlier, that we have been insulting a snail, and that we have, as Senator McCain was suggesting, no net assessment. So, we don't have even a political basis upon which to sell whatever we want to do to our various constituencies in the democracies of the West, and we don't sit down and talk with them. NATO won't do it. Until very recently we had refused to do it. So, they're not picking up on the opportunities that Mr. Karber was talking about. There doesn't appear to be an allied position which I gather we're trying to develop between now and October or November in the Vienna talks. Isn't that right? We're trying to do that sort of thing, and we don't go down and see if the flowers are blooming.

If I, having just flown in from Mars, were sitting and listening to this, I would say to this Western alliance—what's going on? I would say what have you all been doing for the last 2 years of 3 years? What have we been doing? Have we just been paralyzed in terms of any kind of a response to this, to the potential changes that are going on? Or is more going on than I'm giving us credit for in terms of ticking off net assessment talks, allied position, discovery if they're serious or not?

Ambassador **BLACKWILL**. Well, let me just say again—and you'll get an authoritative view of the administration tomorrow, but my impression is that the slowness is a function of at least three factors. The first is that these are new ideas. The Atlantic to the Urals area is a new idea, and that NATO hasn't seriously thought about it before. So, that takes time.

Second, we are; as you said, industrial democracies. So, to use the metaphor of near Aspen again, we don't put a gun to everybody's head and say we're going up to the meadow to look at the flowers. Everybody has got to agree.

And that leads me to the third point which is that one of our party that we want to take up to look at the flowers is a native speaker of French. And France has not been involved in conventional arms control before, as you know. They were not in MBFR. They bring their own special preoccupations and concerns to the subject. And that too I think has been a digestive process for the alliance and for Washington. It is my impression they're making progress.

But I would make one other point. I think Karl and I may have different views of—neither one of us knows, but have different views of the likelihood that Gorbachev may actually change these fundamental Soviet security objectives. But one thing it seems to me is that if we wait too long, he may be unable because of his own internal weaknesses to do what he might have wished to do. And so, it really does service if he is at the height of his power or somewhere near it to put these issues in front of him, to test him at a time when he might actually be able to do something about it.

And so, again, one just hopes the alliance will be able to manifest that in some specific ideas right away.

Senator WIRTH. I appreciate what you are saying, Mr. Ambassador. One can be an apologist for the complexities of industrial democracies moving and how slowly we move and, you know, we've got the French variable and so on. But the other side of it is that good lawyers or good diplomats or good MBAs are trained to play "what if." And one of the things you do is to try to anticipate what if he does this, or if he does this, or if he does this, how do we respond. And I would come out saying it doesn't seem to me as if we have been doing very much of that. We have done INF, and that's a step in the right direction everybody seems to think. But there are an awful lot of other things going on that we ought to be playing a much more aggressive game of "what if" I would gather.

Ambassador BLACKWILL. Well, let me just say one last thing on behalf of my colleagues who I used to work with in the government until last summer. I haven't been gone so long that I forgot how hard it is to do things in NATO, especially if they're new. It took 5 years for the alliance to adopt flexible response as a military doctrine from McNamara's speeches until 1967. So, it does take time to do the work. Sometimes it's frustrating, but I think the more dynamism on our part, the better.

Senator WIRTH. Professor Kaiser.

Mr. KAISER. Well, Senator, I still believe that if you take the long term view, we have made progress in significant ways, not only the INF agreement. There is some progress on C-weapons. When you look at the preparation of the conventional arms control talks, there are a number of points on which the West has agreed. It was very hard. One has agreed on the procedure. One has agreed on goals and even on methods. Not all open questions have been resolved. So, the West is moving in the right direction and we shall have a mandate for negotiations, no doubt, and a mandate that includes the French.

Now, what will come after that is open. But I think there is general awareness in the NATO countries that there may be a unique chance now with the new leadership in the Soviet Union. But I don't think the participating governments have illusions. We will only find out, indeed, by testing Gorbachev. We are aware of the Soviet elites, many of them being convinced that they cannot go on as they do now and that there is willingness for change. And hopefully, we will be able to exploit it. But we can only do it by going to the table, presenting the proposals and see what happens.

Senator WIRTH. Let me ask you finally if you want to expand on your earlier comments about Stockholm and transparency, Professor Kaiser. You might have for us more specific thoughts on that front.

Mr. KAISER. Well, the argument here is, Senator, in view of the fact that progress on reductions, when we deal with hardware reductions or redeployment or whatever it is, is going to be extremely difficult and time consuming, but that we may have the chance to do other things which we can superimpose on the present posture. We can add confidence building measures which go beyond what we have agreed upon in the Stockholm agreement. We could, in particular have more intensive verification in the central area of Europe where the greatest danger arises. That happens to be the central front—in other words, to have even more information and transparency on troop movements and everything that happens on both sides. This would increase calculability and would help to decrease any fear of surprise moves on their side.

And on top of it, it would help us to prepare the ground for the next round of actual conventional arms control measures which have to be verified. And the intensity of verification we need then will go beyond what we have now. So, we could actually start at the confidence building measures end and through that introduce the kind of verification or the first elements that we need for the consecutive steps.

I, therefore, think it may be worth it to separate confidence building measures and negotiate on them, possibly parallel to negotiations on other issues, but in all likelihood, we have a chance to achieve success there before we make progress on hardware.

Senator **Wirth**. Is there an agenda of specifics on that, Professor Kaiser?

Mr. **Kaiser**. Well, I am in particular thinking of a relatively dense network of permanent inspectors in the central area that give us a clear idea about what goes on. That is the main thing. Rather than the inspection as we have it now in the Stockholm agreement where you are entitled to a certain number of inspections allowing you to move in. What we need is a permanent network of inspectors stationed there and observing so that the possibility is excluded that the other side could plan clandestinely something we don't like.

Senator **Wirth**. Mr. Karber, you and I briefly talked about this before. I would be interested in your reaction to what Professor Kaiser has been suggesting.

Mr. **Karber**. I'm trying to think positive here.

CBMs are a little bit like the Richard Perle dilemma: be careful what you ask for; you may get it.

Let's take Karl's example of a fairly dense number of inspection people in Eastern Europe and ask what it is they would be seeing and what it is that would be giving us in terms of greater confidence. I would assume that it wouldn't be roving inspection, but would probably be installation specific.

Now 10, 15 years ago the Warsaw Pact structure was much more amenable to that kind of observation than it is today. For example, then they didn't have an operational command and control system, essentially a wartime C&C system set up in peacetime. Then they had to redeploy forward substantial amounts of artillery out of the western U.S.S.R. And one could have seen that ammunition coming forward much more so, and the dumping of local stocks would have been much more observable.

As late as 10 years ago, they required the redeployment of around 1,000 aircraft just so they would be in range to strike NATO targets. Now, all three of those key areas that would have been, I think, high candidates for CBMs are far less significant because the ammunition has been stocked forward, because the command and control is under wartime conditions, and because the aircraft forward now can strike the targets from the existing bases.

What I'm suggesting is that the kind of warning we get from that observation starts shrinking—instead of being a week or more, starts shrinking into relatively a few days. Now, if I look at what it takes in terms of our NATO defenses to get ready and prepared and in position, at a minimum it takes about 48 hours after alert for just the first covering force, the first thin line to get in position because of substantial maldeployment problems. Our maldeployment, by the way—and readiness is worse where the concentration of Soviet armor is the most dense—is opposite northern Germany.

To do the terrain preparation, a lot of people talk about the need for barriers. But in fact, NATO has an excellent barrier plan. It just takes about 2 weeks to implement. A lot of the people who are going to be implementing it are reservist engineers. We have several million mines that we're going to plant. That defense is going to get very tough. The problem is that it takes time to mobilize and deploy. My own view is that I haven't seen a set of proposals yet—one hears general ideas—but a set of specific proposals on just how many people where and what kind of regime would give us substantial warning that would allow us to feel more comfortable about reaction.

Now, I could think of some very specific ones. Senator Nunn, the chairman, has said: "Well, if it means putting people inside command posts, so be it. Here is where the flip side comes in; that is, what we ask, they also will have the right to ask."

And if one looks, for example, at the scandal of last year or so when Soviet tourists were collecting home addresses and paying visits to the homes of Swedish fighter pilots, there is a point of your own internal operational security that a level of interaction and visibility starts having a substantial effect on their ability to learn and particularly in an operational sense, to target you.

I can conceive, for example, of us asking to go into their command posts and their asking to go into our nuclear storage sites. And here is where the INF Treaty parallel comes back at us. We could have had a tougher verification regime under INF, but we didn't want it because we didn't want it applied to us. And I think if you start getting down to where you are truly militarily meaningful on these CBMs, where they really give you some warning time as opposed to symbolic time, then you are going to find the more military impact they have in terms of your confidence, the more militarily intrusive they are to your own commanders and they themselves will start falling off the bandwagon of endorsement.

So, the general sense of transparency I think is good and healthy, but we need to really ask ourselves what is it that we are specifically gaining by having those people inspecting. How many hours? And when you look at that mass of Soviet armor and those other factors I already mentioned, where it is located, that's the armor that is going to first be attempting to penetrate our initial defense screen. If they make it, it's all over. And that armor is not more than an evening's march from our defense positions. In fact, in some cases the mass of their forces are closer to our defense positions than our defenders are.

It is interesting that another sort of candidate for CBMs was controlling bridging under the argument that an offensive needs bridges. Our troops have more water crossing to get to our defense positions and a lot more bridges to do it with than the other side does to get to our defense positions!

After our last conversation, I'm really trying to be positive here. I think that there might be some regime that one could find. My own personal feeling is that it will make sense not as a precursor, as Karl was suggesting, but as a complement to meaningful reductions both in terms of verifying them, but also the two end up being two hands clapping together as you get a synergy out of the two. We're trying to use the CBMs as a precursor or by themselves. They're destined to be ultimately misleading or really not very militarily useful. But that's a positive view, sir.

Senator WIRTH. Ambassador Blackwill.

Ambassador BLACKWILL. I would like to say two things.

These CBMs have two possible utilities. One is political. I think it would be found odd by our public that we don't want more openness. I mean, isn't that what we represent after all? And in my own judgment, if you divide these sorts of measures into information exchange and then stationing of observers and so forth and then finally constraints, that certainly in the first area, information exchange, I can't think of a conceivable situation in which it wouldn't be in our interest to test military glasnost. That's the first one.

But Phil is right also to concentrate on the military mission of these sorts of things. But I would say this about it. As long as we don't fool ourselves into believing that we are getting something we're not, if the warning we get is more definitive in character and helps NATO decision making, that's an advantage and that should be one of the tests.

Now, obviously if the information we get further complicates an already probably pretty difficult NATO decision making process—then we don't want those. But accepting all of Phil's enumerations about how the Soviets have gotten ready to go quickly, we still, it seems to me, could think harder of ways in which when they do, and even with the reduced warning time, we might be able to conceive of measures which would help us out in persuading all of us together that they are about to attack us.

But I would say in general to conclude that this is an intellectually impoverished subject. People haven't thought enough: either they're insufficiently creative or there's nothing under this rock and people keep lifting it up.

But I want to disagree with one final point. I think we should push these sorts of measures, at least some of them, irrespective of a conventional force proposal both because on their own they might have some advantages to us and because of the likely stalemate in conventional arms control over at least the period ahead that I can see. So, this is a subject worth pursuing. It will turn out, as with any subject that is relatively new to intense scrutiny, that most of the ideas will be bad. But we may be able to think, if we work hard at it, of a couple of them which will serve our interest in some way. And as I say, I think it would fit very well into our political strategy with respect to our publics.

Senator **Wirth**. It seems to me, to use your term, the intellectual impoverishment—I have been asking about this at every one of the hearings, as Mr. Karber knows. And there are a lot of broad generalities about this, and I think it is worth our while for a variety of reasons to pursue this in some more aggressive detail, one, for the reasons that we are a relatively open society. Going back to Senator McCain, a lot of things have "secret" stamped on them, but we are a relatively open society. And I suspect that any steps that are made in this direction are going to accrue to our benefit more than to theirs.

Second, I think there are some real potential political pluses which you were suggesting in your opening comments I think, Professor Kaiser, in talking about doctrine and transparency together, that there are some real political pluses that we might have in this in terms of better explaining to our constituencies what may be going on. I think that that's positive.

And third, I have clearly gotten an impression from a number of military people both in these hearings and from the trip that I took earlier in January talking to them that there were a number of military steps that our military people thought would be valuable for us to explore.

And for all of those reasons, I understand your skepticism, Mr. Karber, but it seems to me it is worthwhile for us for a variety of reasons to pursue it. One might have taken the INF Treaty and said let's not pursue the INF Treaty because it is such a minor reduction. You will have an enormous political fight for such a small reduction, it's not worthwhile. But the symbolism of that and what that has meant as a wedge or opening of the door has been very, very important.

And perhaps we have some opportunities here as well in what has been an intellectually impoverished area to maybe flush it out. We might find there's nothing there. You may be exactly right. But I think it is worthwhile for us to pursue as we go about trying to put together an allied position by the fall to start that groundwork and start a little more aggressively than I think we have done before.

Mr. **Karber**. If I could, Senator. I don't want to give the impression that I don't think we shouldn't think of them and try and come up with one. No, I'm being very serious now. I think we ought to try and come up with some very aggressive ideas and then subject them to some very rigorous questions in our own minds.

To me, the militarily utility that at least most military people have talked to me about is primarily not in the area of warning and reaction time, it is in day-to-day intelligence which can be of enormous benefit, just like all the things that Bob enumerated. But then we need to be very clear to ourselves. Is this something that is giving us, in essence, enhanced confidence about the danger of this short warning attack, or it is just something that's good on its own?

And what scares me frankly is if one looks at the trends in virtually all the European countries in manpower and available resources, the pressure to decline on unit readiness is enormous. And I think there is a very large economic and political incentive to grasp at hope because they are being confronted with very tough readiness decisions. And really my concern is that we would portray some of these very positive utilities but then portray them as something that they aren't in terms of being militarily meaningful, true indications that would speed up our reaction time.

Senator **Wirth** [presiding]. I think that's a very fair warning that confidence building measures certainly are neither a substitute for a variety of the other things that we have talked about or panaceas, as the chairman has pointed out. At the same time we have to be aware that they don't offer a sort of political promise that allows us to step back from a lot of other commitments that have to be made. I think that that is a very valid warning.

Well, gentlemen, you have been here for a great deal of time, and as Senator Nunn has pointed out, this is about as interesting, if not the most interesting hearing, we have had so far. At least I felt so. And you certainly are all wonderfully capable of playing "what if," and I think we've had a good lesson on how to do that. And we greatly appreciate your being here.

There were a variety of other questions that I have been asked to ask you all, and I can see the gratitude on your faces when I say I won't do that. But rather, what we'll do is I'm sure that there may be some other comments that you might have for the good of the order, and we will leave the record open so that you can add those.

Thank you all very much for being here.

[Whereupon, at 4:40 p.m., the committee was adjourned.]

NATO DEFENSE AND THE INF TREATY

THURSDAY, FEBRUARY 18, 1988

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

CONVENTIONAL ARMS CONTROL

The committee met, pursuant to notice, at 9:20 a.m., in room SR-222, Russell Senate Office Building, Senator Sam Nunn (chairman) presiding.

Present: Senators Nunn, Exon, Dixon, Wirth, Warner, Thurmond, Humphrey, and Quayle.

Staff present: Arnold L. Punaro, staff director; Carl M. Smith, staff director for the minority; Romie L. Brownlee, deputy staff director for the minority; and Jeffrey H. Smith, general counsel; Brian D. Dailey, Sherri Wasserman Goodman, William E. Hoehn, Jr., George K. Johnson, Jr., Ronald P. Kelly, James R. Locher III, and Daniel J. Wildfong, professional staff members; Kathleen L. McGuire and Mickie Jan Wise, staff assistants.

Also present: Jeffrey B. Subko, assistant to Senator Exon; Gregory J. Weaver, assistant to Senator Levin; William J. Lynn, assistant to Senator Kennedy; Donald A. Mitchell, assistant to Senator Glenn; Terrence Lynch, assistant to Senator Shelby; William J. Wight, assistant to Senator Warner; Mark J. Albrecht, assistant to Senator Wilson; and Anthony H. Cordesman, assistant to Senator McCain.

OPENING STATEMENT BY SENATOR SAM NUNN, CHAIRMAN

Chairman NUNN. This morning the committee continues its examination of conventional arms control as part of its hearings on the INF Treaty and NATO defense strategy, particularly in the post-INF period.

Yesterday, the committee heard from a distinguished panel of witnesses, including Ambassador Blackwill, Professor Kaiser and Mr. Karber.

This morning, we are pleased to have Dr. Jim Thomson and Mr. Charles Thomas join us.

Dr. Thomson is vice president of the RAND Corp. and has conducted an extensive analysis of conventional arms control that has received much attention both here in this country and, I must say, Dr. Thomson, abroad. I ran into a number of people in Europe last week that studied very carefully your overall analysis.

Mr. Thomas is the Principal Deputy Assistant Secretary of State for European and Canadian Affairs and U.S. Representative to NATO's High Level Task Force on Conventional Arms Control. Mr. Thomas is our principal administration witness on conventional arms control, and we will hear from him after we hear from Dr. Thomson.

This morning's hearing will be in the form of two panels. We will first hear from and question Dr. Thomson, following which we will hear from Mr. Thomas.

Senator Warner.

Senator **Warner**. Mr. Chairman, I had the pleasure of being briefed by Dr. Thomson just shortly before our departure to the Aspen Conference. It was a very helpful background for me as I made that trip.

Thank you.

[The prepared statement of Senator Dixon follows:]

STATEMENT BY SENATOR ALAN J. DIXON

Mr. Chairman, I am pleased to welcome before this committee Dr. James A. Thomson and Mr. Charles H. Thomas. These gentlemen are experts on the conventional balance of forces in Western Europe and the negotiations for reduction of conventional weapons.

We have heard testimony before this committee on how critical it is to accomplish a reduction of Warsaw Pact Conventional Forces that pose a tremendous threat to the security of the NATO alliance. While there is some debate of the precise size and nature of Soviet strength relative to the alliance, all acknowledge the massive forces the Soviets have assembled in central Europe and the need for their removal.

Dr. Thomson and the Rand Corporation have produced a very valuable report "conventional arms control revisited: objectives in the new phase". This report, in conjunction with the report of my distinguished colleague Senator Carl Levin, has added considerably to the information we have on the conventional balance in Europe. However, I believe that a detailed and comprehensive assessment of the conventional balance is needed to provide a more rational basis for the decisions we will have to make on the future of conventional weapons and arms control. I would hope that the Department of Defense will undertake such a task in the near future.

I look forward to the testimony and dialogue we will have today.

Thank you Mr. Chairman.

Chairman **Nunn**. We will be delighted, Dr. Thomson, to get your opening statement and any views you would like to put forth, and then we will have questions for you. Then we will go to our second witness after we have completed the questioning.

STATEMENT OF DR. JAMES A. THOMSON, VICE PRESIDENT, THE RAND CORP.

Dr. **Thomson**. Thank you, Mr. Chairman. I will begin with just a brief statement and then I'll be happy to take questions.

Most of my comments are based upon a study that I recently completed with my colleagues at the RAND Corporation. Some of the results of that study have been put forward in a report that has been made available to the committee.

My colleagues and I sought to understand how the new conventional stability talks, which will probably begin this year, could help NATO manage its conventional defense problem.

We defined the extent of that problem by assessing the unmet needs for NATO's conventional defense; that is, the capability that NATO needs in order to provide an effective conventional defense of the central region of Europe.

These unmet requirements could be met by force enhancements, arms control agreements, or a mixture of the two. Precisely for this reason, NATO needs to link its planning for arms control and conventional force enhancements.

To coordinate its conventional defense and arms control planning, NATO needs a clear objective. For our analysis, we decided that a capability to conduct a successful forward defense as called for by NATO strategy of MC 14/3 would be the objective.

As a practical matter, this meant that NATO forces under a range of scenario assumptions would have the capability to hold a Warsaw Pact attack in the forward defense zone of the Federal Republic of Germany roughly 20 to 40 kilometers back from the border for 30 days.

In order to undertake the analysis of unmet requirements, we went beyond the traditional bean count approach because it omits too many important factors.

Instead, we chose a combat simulation as the best currently available method to assess the balance of forces in Europe. This permits analysis to take account of many factors beyond the number of ground forces available to the two sides.

In our analysis, such factors included the quality of the weapons, the readiness of the forces, the role of air power, the terrain of the combat, the advantages of the prepared defense, and the strategies of the two sides as well as different scenarios.

Our analysis led us to the conclusion that NATO's unmet conventional defense needs are in the range between 5 and 15 equivalent divisions. An equivalent division has roughly the combat power of one U.S. armored division.

The range of uncertainty is due primarily to scenario uncertainty, especially the mobilization times for the two sides, the readiness of Soviet forces, and the availability of French forces to the NATO-integrated command structure.

If NATO were seriously to seek to redress to conventional imbalance, it would have to provide such an additional capability by increasing its ground and tactical air forces. I would be glad to discuss the nature of such improvements in response to questions.

We then turned to the question of how conventional arms control could help reduce or eliminate this unmet requirement. We concluded that mutual NATO and Warsaw Pact reductions through conventional arms control would have to be very large and highly asymmetrical in favor of NATO.

Basically, we concluded that NATO should seek asymmetries in reduction of at least 5 to 1 in combat power. Equally important, the cuts would have to be very large. Small cuts, even at this high asymmetry, would have little effect on NATO's conventional defense situation.

To be more precise, an exchange of one U.S. division for six Soviet divisions, which roughly follows the 5 to 1 reduction rule in combat power, would have little meaningful effect on the balance. Far larger cuts are needed to have a meaningful effect.

In our report we suggested three to four NATO divisions in exchange for 18 to 24 Warsaw Pact divisions out of a threat of about 110 divisions. Even such substantial reduction would not completely eliminate NATO's unmet conventional defense needs, although they would go a long way toward doing so.

Our study also underscores some of the potential dangers of conventional arms control. For example, reductions at smaller asymmetries than those just mentioned could have quite serious consequences for the coherence of NATO's defense.

For one scenario, a fairly short warning case in which Warsaw Pact forces were ready for combat in 10 days and NATO forces had 5 days to prepare, large cuts at a 3 to 1 asymmetry could have catastrophic consequences.

In examining the results of the combat simulation more closely, we found that even though the Warsaw Pact was reduced by much more than NATO, the NATO commanders ran out of forces to be held in reserve and had to thin out the defense of the forward line; but the reductions had not cut deeply enough into the Warsaw Pact forces to prevent the Warsaw Pact commander from continuing to mount offensives.

We examined one case in which tank and artillery forces of the two sides in the central region were reduced by equal percentages, an asymmetry of between 2 and 3 to 1. Equal percentage cuts have the ring of fairness and are often featured in eastern proposals. In this particular example, the loss of NATO reserves led to a quick breakdown in the NATO defense line and the advance of Warsaw Pact forces to the French border within about 15 days.

The lesson of this analysis is that conventional arms control proposals need to be scrutinized very carefully to ensure that they do not make matters worse and place the NATO defense in a completely untenable position. By the same token, we must take care that in the course of negotiations our proposals are not whittled back to the point where they actually do harm.

Analysts are familiar with the strengths and weaknesses of combat simulations. Through sensitivity analysis, we are able to get a feel for the uncertainty surrounding our conclusions. In this analysis, we are fairly confident of our results.

Nevertheless, it is often useful to try to understand the conclusions with more simplistic, back-of-the-envelope calculations. Such an approach is also outlined in our recent report. We pointed out that the forces available to the two sides in the scenario we analyzed favor the Warsaw Pact by about 2 to 1.

How can it be that the highly asymmetrical reductions called for in our report are necessary when the overall imbalance is only 2 to 1? The reason is that NATO forces must cover the eastern frontier of the Federal Republic of Germany to defend it. Of course, the Warsaw Pact would also lay claim to such defensive forces.

What is wrong with the conventional balance today is the forces on the two sides that are in excess of those needed to defend the frontiers. On the Warsaw Pact side, these excess forces can be used to create and exploit breakthroughs, and on the NATO side they are needed to halt such breakthrough attempts.

These excess forces stand in a ratio of about 4 to 1. This is why very asymmetrical cuts are needed to improve the balance.

In our study we also examined how such analytic results can be translated into concrete arms control proposals. Briefly, we concluded that NATO proposals should focus on tanks and artillery to help reduce the offensive capacity of the conventional forces of the two sides while maintaining the more defensively oriented force elements.

Proposals that call for common ceilings on tanks and artillery are fairly easy to understand while meeting our objectives for size and asymmetry of reduction. Rather than reducing whole divisions, it is probably preferable to reduce tanks and artillery specifically to ensure that the offensive capacity of the forces of the two sides are reduced without severely affecting their defensive needs.

Our analysis has indicated that such common ceiling proposals need at least two sets of ceilings: First, an overall ceiling on tanks and artillery covering the entire Atlantic-to-the-Urals region. This ensures that the total threat to central Europe is cut and that NATO's defense situation is improved for both short- and long-warning scenarios;

Second, to have a maximum effect on short-warning scenarios, it is important to define subceilings that ensure sharp reductions of Warsaw Pact forces in the forward area; that is, in East Germany and western Czechoslovakia.

I know that in his testimony yesterday, Ambassador Robert Blackwill outlined for you a proposal that he and I have made. This proposal was designed to meet the objectives that I have just outlined. Since Ambassador Blackwill has described this proposal in some detail, I will not discuss it further today, although I would be glad to answer questions.

Mr. Chairman, the bad news from this analysis is that arms control is unlikely to solve NATO's conventional defense problem. Unless we find that we are dealing with a Soviet Union quite different than the one we have been used to, the Soviets are unlikely to accept proposals that will solve or significantly reduce NATO's conventional defense problem.

This does not mean that we should not make such proposals. The alliance ought to make clear to the Soviets what sort of result it feels is needed to address its security concerns, and it ought to describe the linkage between conventional arms control proposals and results in a program to fill NATO's unmet conventional defense needs.

The alliance should be clear about what sort of defense improvements will be needed to address NATO's needs in the absence of arms control.

Unfortunately, the alliance has made even less progress in building a consensus on a program to meet its unmet needs than it has in laying out its conventional arms control proposal.

These issues do not stand in a political vacuum. Partly as a consequence of the INF Treaty, the alliance faces a crisis of confidence and a lack of consensus on how to proceed. Not only are we lacking policies on conventional defense and arms control and the linkage between the two, but there is no agreement on how to proceed on nuclear force modernization, nuclear arms control and the linkage between nuclear and conventional arms control.

It will not be enough simply to come forward with a conventional arms control proposal. The alliance needs to rebuild a consensus on our overall policy toward the Soviet Union under Gorbachev, on the role of defense and arms control in that policy and on the relevant importance of conventional and nuclear forces in NATO's security concept.

Until this political consensus is rebuilt in the wake of the INF Treaty, we cannot expect that the components of policy, including conventional defense and arms control, will fall neatly into place and fit together.

Mr. Chairman, that concludes my remarks, and I would be pleased to answer your or the committee's questions.

Chairman NUNN. Thank you, Dr. Thomson. First, let me congratulate you and RAND for undertaking this analysis. I think you are out in front of the curve, and I think that your analysis is a beginning point for serious follow-on analysis both in this country and in NATO. So I think you have performed a very, very valuable service.

So many assumptions are built into this kind of analysis by necessity, I think it is important for us to understand what your assumptions were, because assumptions, as I am sure you will readily acknowledge, drive outcomes.

What is your assumption about stalwart defense. What do you mean by "stalwart defense"?

Dr. THOMSON. Mr. Chairman, a stalwart defense, in fact, means simply a successful forward defense of Germany as called for by NATO strategy.

That in a practical sense means a capability to hold Warsaw Pact forces roughly in the forward area, 20 to 40 kilometers back from the border. Those are the figures that we used in our analysis.

According to NATO standards for ammunition stocking, we require in the analysis that that capability exists over a period of 30 days, which is not called for explicitly in MC 14/3 but in other alliance documents.

Chairman NUNN. So you really took NATO's own definitions of what they wanted to achieve with forward defense as your beginning point?

Dr. THOMSON. That is correct.

We did not get into the issue of how the achievement of such a capability would relate to the alliance's nuclear force needs. That depends on an assessment of what one believes is necessary to deter the Soviet Union. So we stood aside from the nuclear issue in this analysis and just looked at the conventional issue.

Chairman NUNN. I would say at least many analytical approaches in NATO that I have seen, I do not think, use the word "stalwart", and yours is certainly a good descriptive word. They usually project successful conventional defense for 30 days as being able to hold the Warsaw Pact to something like the advance to the Rhine, which is 100 to 150 kilometers.

Yours is much more stalwart than that, is it not?

Dr. THOMSON. That is correct.

Chairman NUNN. So you have taken NATO's forward defense seriously?

Dr. THOMSON. That is correct.

Chairman NUNN. I do not think NATO takes it seriously in terms of its military preparations, but it is something that is serious in the political sense.

Dr. THOMSON. Well, Senator, the reason for this is the nuclear issue that I mentioned. I think there are people who would argue that a capability just to slow a Warsaw Pact advance, given the overhang of nuclear weapons, would be sufficient for deterrence.

I think you would find, for example, in Europe many people who would make that argument and who would be somewhat fearful of the idea of providing this sort of conventional capability. They would fear that, if we had stalwart conventional defense capability, the American posture would rely far less on nuclear weapons for deterrence.

As you know, this is a neuralgic issue in Europe. We have found in our conversation with Europeans that they are somewhat fearful of seeking to attain this kind of conventional capability.

Chairman NUNN. In other words, some would like to have the fallback rapidly and fire nukes quickly.

Dr. THOMSON. That is it.

Chairman NUNN. Another question. I have heard your report critiqued on the grounds that it was almost exclusively firepower oriented and that you assumed basically all divisions fight equally strictly based on firepower for instance, that a Soviet division is the equivalent of a Polish division or a Czechoslovakian division.

How do you answer that?

Dr. THOMSON. That is basically not true. The divisions are scored by a weighting scheme, which has been in use in the Department of Defense since the early 1970s, called the Weapons Effectiveness Indicator/Weighted Unit Value System. That System accounts for more than the firepower of equipment but also for its mobility and survivability.

So even on the basis of just the score of weapons, it goes beyond firepower. More importantly, it takes into account the size of the unit.

So, when all is accounted for, a Soviet division does not score as highly as an American division in this calculation, and a Soviet division scores more highly than a Polish division.

Chairman NUNN. Do you plug in any factors like the will to advance, the will to fight, any of those kind of subjective factors? For instance, like whether a Czechoslovakian division would be assumed to have the same desire to head through West Germany as a Soviet division?

Dr. THOMSON. Senator, we did plug in the readiness of the units and graded their capabilities according to the assessments of the readiness on the two sides.

We did not plug in such subjective factors as the will to fight, which I think is an arguable one. An arguable factor depends very much on the scenario for the combat; in particular, what it is that has caused this particular war to have come about. That factor would be central to the issue of how much will there was to fight on the two sides. I believe that is a matter that cannot be predicted in advance in any sensible way, and it is better to be left out of the assessment.

Chairman NUNN. What about on the defense side? Do you assume the defenders know when and where the attack is going to occur, and do you assume the defenders know where the main concentration of offensive force is going to be?

Dr. THOMSON. In the scenario we used for this particular study, we provided for 5 days of readiness preparation on the NATO side. This is sufficient time for NATO forces to get to their general defense positions and in a rudimentary way to prepare their defenses by digging in.

So we basically follow the overall plan of NATO to defend itself at the outset of the conflict.

We do not assume they understand at the beginning where the main axes of attack will be, although they discover that quickly and the NATO commander in this simulation then quickly readjusts his forces to meet those main thrusts.

Chairman NUNN. What do you assume about the number of divisions of so-called occupation forces the Soviet Union would have to have in Eastern Europe to protect their lines of communication to make sure that they did not get an uprising in their Eastern European empire?

Do you project all Soviet forces being able to concentrate on the attack to the west, or do you account for some of those divisions in an occupational protective/defense counter-role?

Dr. THOMSON. It is clear to me, at least, in peacetime that Soviet forces in Eastern Europe have an occupation function.

When we come to the question of a war scenario, though, we must ask questions of how did it come about that the Soviet Union in a war scenario decided to attack the West.

In my personal view, Senator, it is unlikely that the Soviet Union would attack the West unless it had ensured for itself the support of its East European allies in this operation, because without such support I personally believe such an offensive could not succeed.

So, therefore, in our assessments we have assumed that the Soviet Union has the full support of its East European allies in the conflict and we have not pulled out Soviet forces for the purpose of occupation or otherwise.

Chairman NUNN. Would you not say that is a very strong best case for the Warsaw Pact? I cannot conceive of that ever happening myself, but maybe it could.

Dr. THOMSON. Yes, it is. I would say that is a best case of the Warsaw Pact, but I think it depends very much on what caused the war.

As I say, it is hard for me to understand how the Soviets would go to war without having already brought their Eastern European allies into line by some sort of a war fervor, probably referring to the possibility of a German invasion of their countries and by other such propaganda and political efforts ensure the support of their allies.

Chairman NUNN. It seems to me that is one of the very major weaknesses of the Soviet situation in Eastern Europe. I do not know how else you would do it analytically, and I am not critiquing on an analytical basis.

I believe however, that everybody ought to understand that, because that is probably the largest weakness of their overall political and military situation. If you give them the total benefit of the doubt on that one, that is a very, very large best case assumption in their favor.

Now, there may be some other factor on the best case side for the defenders that may tend to offset that, but I think we all need to understand that.

Dr. THOMSON. Senator, just one last comment on this point. We also assume the full and complete support of our allies on the western side as well. It needs to also be understood, that that assumption was made.

Also, Senator——

Chairman NUNN. That is also a best case, but it seems to me that is a lot more realistic than the Soviet side, but maybe that is just subjective thinking.

Dr. THOMSON. There is another point. Although I completely agree with your comments about the potential unreliability of East European allies, when we are putting together our view of what is necessary for conventional arms control or conventional defense, it is I think rather risky to credit the Soviets for having unreliable allies. Those military forces do exist there, and they do pose a threat to the West, and if we were to take the view that we should discount them in conventional arms control and in a sense give the Soviets credit for the fact that their allies are unreliable, I think we would be following a risky course.

Chairman NUNN. Good point.

Do you assume that, for instance, the Romanians are involved in this, or where do you define the borderlines of who is involved?

Dr. THOMSON. This analysis was a central European war, so it was Poland, Czechoslovakia and East Germany.

Chairman NUNN. Thank you.

Senator Warner.

Senator WARNER. Thank you very much.

In your statement you state that we could redress the conventional imbalance perhaps by deploying new capabilities that the Warsaw Pact could not counter.

Could you expand on that? That is an interesting point.

Dr. THOMSON. Well, Senator, I was trying to get at the problem that when we talk about adding 5 to 15 equivalent divisions to NATO, one would hope we would not have to do that all by adding force structure, that is, new divisions and new tactical air wings, but also by upgrading our conventional force capabilities and their quality.

For example, if we could develop a good capability that goes under the notion of FOFA, follow-on force attack, and the Soviets could not easily counter that, that would be a qualitatively new capability available to NATO as our current capability to do that is very poor. It involves improved munitions and improved command and control systems in order to get those munitions on targets quickly.

And that is the sort of thing I had in mind, although even in this area there are questions of whether or not these kind of capabilities will be easy to counter. But the basic point here is that I am not simply talking here about normal modernization of NATO's forces. I'm talking about adding new capabilities that in a sense provide a quantum increase in NATO capabilities, the equivalent of adding a new division or a new tactical air wing.

Senator **Warner**. The witnesses we had yesterday indicated that a withdrawal of, say, 13 Soviet divisions and maybe, say, 2½ U.S. divisions might provide some adequate restoration of balance since it would go a long way to preclude, shall we say, a no-warning surprise attack by the Warsaw Pact, thereby giving NATO time to mobilize and better prepare itself for a defense.

I realize, of course, you are not fully aware of that hypothetical that was put to us yesterday, but how does that compare with some of your own analysis?

Dr. **Thomson**. Actually, I am aware of that. It has a ring of a proposal I have heard earlier.

Basically our assessment is that that kind of proposal is inadequate.

Senator **Warner**. Inadequate?

Dr. **Thomson**. Inadequate. Although it will help with short warning, short war scenarios, it will not help much with long warning, long war scenarios, because that kind of cut will not get at the Soviet forces in the Western Military Districts of the Soviet Union which could be brought to bear in a conflict over a course of time, that is, potentially within a couple of weeks.

So although it does go some distance toward meeting our unmet conventional defense needs, it does not go far enough.

The other aspect of the proposal that troubles me is that it is a proposal that oriented only on United States and Soviet forces. I have no objection to orienting proposals solely on Soviet forces, but I do have an objection in this current political environment to orienting our proposals solely on U.S. forces. I believe this smacks of a potential U.S. withdrawal from Europe, which our allies currently are deeply afraid of.

Senator **Warner**. I think your observations are well taken, particularly in view of the fact that such sort of analysis on the eve of the convening of the 23 nation forum to review the arms control reduction of which your are aware, could send a mixed signal.

Your report is quite supportive of utilizing ceilings in conventional reduction negotiations rather than the equal percentage reductions.

Could you give us a little background on that reasoning?

Dr. **Thomson**. Well, I think ceilings are something that are relatively easy for the public to understand.

Senator **Warner**. Public comprehension is important.

Dr. **Thomson**. And I think they have a sound of equity. It seems to me entirely fair for us in the West to say to the East, look, we are willing to live with equal numbers of what we have called offensive weaponry, namely, tanks and artillery, and set those figures so that the reductions are sharp enough that they bring about the kinds of force levels that are consistent with the reductions that are needed to meet NATO's unmet conventional defense needs.

Now, Ambassador Blackwill and I have put forward a proposal that we think does that. But the main advantage of ceilings is, I think, that they are relatively easy to understand, in contrast to going to the Soviet Union and saying we want to trade on this or that asymmetry.

Senator **Warner**. I share that view.

I thank the Chairman.

Chairman NUNN. Thank you, Senator Warner.

Senator Exon.

Senator EXON. Mr. Chairman, thank you very much.

Welcome to you, and thank you for your excellent testimony here this morning.

I have not had a chance to look at your detailed study, but I want to review it in great detail because I am sure it is going to be most interesting.

Could you give me a little bit of background on how this scenario plays out? How did you factor in supplies of personnel and weapons, ammunition, manpower from the United States following into such a scenario, and what timeframe was this battle that you projected? Was it a matter of days, weeks, months?

Dr. THOMSON. Senator, in the base case of the analysis we assumed that the Warsaw Pact could ready its forces in about 10 days, and that we would detect that and act upon it after 5.

So in the base case scenario, when the war started, no additional U.S. forces had arrived in the theater, but soon in the course of the conflict, our units of POMCUS, our units with prepositioned equipment, were arriving, being broken out and moving into position. This is a very important assumption because those forces are very important in the northern regions of Germany where the defenses of our allies are weaker than they are in the south.

So we had a fairly optimistic assumption on our ability to break out these POMCUS units and deploy them to the battle under conditions of war.

If the warning time is longer, which we have also examined, let's say 20 days, then it is possible to get those units deployed into their positions before the war would begin. That would make for a more favorable outcome for NATO because of the availability of those very few but important extra divisions at the outset of the conflict.

Senator EXON. As you know, we have gone over these scenarios before in various ways, probably not in as much detail as you have in this study.

Can you tell me just in a few words whether our concerns for the safety of the air bases that we would be required to use to bring our air power to bear would be essentially destroyed as we have feared in our previous studies in this area? How serious a problem was that in the scenario that you used, and what was the result?

Dr. THOMSON. First, our analysis was based on current capabilities of both sides. And we did, of course, allow the Soviets to attack our air bases, and they degraded the operation of our air bases. I wouldn't go so far as to say that they are capable of destroying our air bases. Currently we believe we——

Senator EXON. I do not mean destroying everything, but I mean how crippled would we be?

Dr. THOMSON. Well, right now we probably today can conduct operations from our air bases reasonably well so long as we are not subjected to chemical attack too. If we are subjected to chemical attack, we are in big trouble.

In the future, as the Soviet air forces gain more accurate runway cratering munitions, we are going to be in much more serious trouble. We need to take steps now to put in place the kinds of passive defense measures that are needed to ensure that these advanced munitions on the part of the Soviets are not going to shut down our air operations.

You are quite right that the air operations conducted by the NATO forces in the early days of the war are critical. The scenarios that we outline in our report would be much more pessimistic had NATO air forces been shut down.

Now, they were not shut down in our analysis; they were hurt, their sortie rates were reduced, but they were not crippled. But if they had been crippled, the results would have been catastrophic.

All of our analysis shows that NATO air forces are more valuable than Warsaw Pact air forces. I think it is evident from Warsaw Pact operational strategy that they understand that and that their principal objective is to destroy NATO air forces. They are willing to give up their entire air force to do so, which I think indicates their view of the relative importance.

Senator **Exon**. Thank you very much.

I believe my time is up, Mr. Chairman.

Chairman **Nunn**. Senator Quayle.

Thank you, Senator Exon.

Senator **Quayle**. Thank you, Mr. Chairman.

Let me pick up on that last statement. I was going to go in a different direction until I heard that.

You said that the Soviets would be willing to risk their entire air force in order to try to knock out our air fields and our air operations early on, is that right?

Dr. **Thomson**. Yes, sir.

Senator **Quayle**. That is correct.

If that is the case, in response to Senator Exon, you said that we ought to look at passive defenses. How about active defenses? I mean, this seems to be absolutely critical. It is critical in the Soviets' mind. How about active defenses for our air fields?

Dr. **Thomson**. Well, we have some active defenses already when we are dealing with the air threat. We have Patriot and Hawk and every air base has got a SHORAD system as well. So with respect to defense against the air threat, we do pursue active measures and the like.

I know, Senator, you are referring to the question of the potential future ballistic missile threat, conventional ballistic missile threat that the Soviets may be able to employ against us. Our analysis at RAND indicates that if we do not take steps to counteract the ballistic missile threat, we will be in big trouble because they could quickly pin down our aircraft and then come in in follow-on air strikes and destroy them on the ground.

I feel that there is a lot to be done with passive measures, and the active defense against ballistic missiles is something that we need to be looking at and be prepared to deploy down the road, but I am not convinced personally that we need to do that tomorrow. I think we need to focus much more on making sure that we have good passive defense measures, additional runways, more, better rapid runway repair, even such things as smoke to confuse air attacks that are seeking to come at the air fields.

As to the active defense options, we may need them, and we had better be getting ourselves ready for them.

Senator **Quayle**. Right. I think that this is an important area because obviously it is the first part of the battle. It is something that the Soviets deem to be very high, valuable targets. If you look at the modernization program the Soviets have now in, say, the next 5 years, that they are going to have not only in their planes, but also in their ballistic missiles, how comfortable are you with just the Patriot and the Patriot-II? Should we not really look beyond that to try to make sure that we protect these very vital assets, particularly as we take out the Pershing IIs, and the ground-launched cruise missiles, you know, the retargeting capability on these air fields? It seems to me they become very juicy targets and something that I personally do not feel terribly comfortable with.

I just wonder if you share that discomfort as you have prioritized where this conflict is going to be.

Dr. **Thomson**. Well, I do share the discomfort because as an analyst, if we give the Soviets the kind of capability that you are talking about analytically, put that in, they can shut down our air fields with a ballistic missile strike at the outset of a conflict.

Now, the question is, first, why would they be able to shut down the air fields? And so the first question is are we doing something stupid with respect to the operation of our air bases that allows them to be quite vulnerable. I think if you look closely at airbase operations, you will find that there are a number of areas where we can improve to mitigate substantially the effect of such an attack.

But that may not be enough. So the next question is when do we think we will face that kind of a conventional tactical ballistic missile threat, because we have to decide our priorities for spending our money to improve our capabilities.

Potentially one of the benefits of the INF Treaty is that the SS-23, which was the missile that we were most fearful of from the standpoint of a tactical conventional ballistic missile attack, is going to be eliminated.

That probably pushes the threat, which still may emerge later with a somewhat shorter range missile, a little further down the road. The treaty gives us a little bit more breathing time to think about what kind of an active defense program we need.

Senator **Quayle**. They still have the SS-21s and the modification.

Dr. **Thomson**. The SS-21s cannot get to most air fields.

Senator **Quayle**. It depends on where they are deployed. If they were deployed forward, they could, could they not?

Dr. **Thomson**. I would have to look at a map.

Senator **Quayle**. SCUDs, the SCUDs?

Dr. **Thomson**. The SCUDs, yes, SCUDs can make it, but the current SCUD is——

Senator **Quayle**. With the modernization program that they have going on.

Dr. **Thomson**. The modernization program, yes, but then again, we are asking the question of when.

Senator **Quayle**. Well, in the next 5 years with the modernization program of the SCUD that we have had some briefings, it is fairly robust.

In your testimony, you talked about the strategies of the two sides. How important do you feel, when you look at this issue of balance, military balance in Europe, that the strategies, objectives, doctrine is? I mean, it is our objective to maintain the status quo. It is the Soviet objective to win.

Are objectives and strategies about how you go about this, are they important, very important factors? How would you describe them in making this analysis?

Dr. THOMSON. Well, in this analysis they are crucial.

Senator QUAYLE. On any analysis. I mean, any analysis that you are going to look at the relative balance between the Warsaw Pact and NATO, how important is it to consider objectives, strategies, doctrine, things like that?

Dr. THOMSON. Well, it is important to consider them and to seek to replicate them. To the extent we understand the strategies and objectives of the two sides, we seek to replicate those and to carry those through the analysis. We have done this in our analysis, at least at the very broad, theater-wide level. For example, the Soviets are the attackers; they pick the axes and they seek to concentrate their attacks. We do not replicate doctrine because we are working at a theater level. So the actual tactical employment of the forces is not replicated.

But I think it is important that the operational strategies of the two sides be taken into account.

Senator QUAYLE. And these are essential criteria when we look at any relatively——

Dr. THOMSON. Well, they are a criterion, that is for sure. I do not know if they are the central one. I do not want to pick out any one factor as the central one. But they are important.

Senator QUAYLE. It is important criteria, that is my point.

Dr. THOMSON. That is right.

Senator QUAYLE. In any kind of a military balance assessment. Thank you, Mr. Chairman.

Chairman NUNN. Thank you, Senator Quayle.

Senator Dixon.

Senator DIXON. Thank you, Mr. Chairman.

Dr. Thomson, on page 5 you say that we pointed out that the forces available to the two sides in the scenario we analyzed favors the Warsaw Pact by about 2 to 1.

Is that the whole mix, personnel, weaponry, the whole bean count and everything else that you take into account when you come to that kind of a numbers solution?

Dr. THOMSON. That particular number is a totaling of the weapons and their quality of the ground forces, not of the air forces. That is a sort of a summing up of weapons quality plus weapons numbers.

Senator DIXON. OK.

How does the INF Treaty, if adopted, affect your point of view? I mean, in your opinion, does that help or hurt us?

Dr. THOMSON. You mean on this narrow issue of the conventional balance?

Senator DIXON. Yes.

Dr. THOMSON. In this narrow analysis of the conventional balance, the INF Treaty really plays no role.

Now, the INF Treaty, however, obviously heightens the importance of the conventional balance and conventional arms control because the INF Treaty is, in a sense, a statement by the alliance that it is willing to rely less on nuclear weapons for deterrence than it has in the past. I know a lot of people do not——

Senator DIXON. In other words, when we take our nuclear deterrence off the ground in Europe, the conventional equation becomes considerably more important, is that not true in your view?

Dr. THOMSON. I think it is true because that is the perception that we leave with our adversaries and our allies.

Senator DIXON. Yes.

Now, most of the witnesses that have testified here have opposed linkage between the strategic arms reduction agreements, either INF or START, and conventional arms negotiations, and I will ask you what you think about that point of view.

Dr. THOMSON. Well, Senator, I personally believe that we have in a sense put the cart before the horse.

Senator DIXON. Yes.

Dr. THOMSON. The conventional imbalance is the source of our problems. Our nuclear requirements in the West spring largely from the existence of a conventional imbalance in Europe and the need to extend nuclear deterrence to our allies.

That would argue in principle that we ought to have been linking conventional and nuclear arms control from the outset, in principle.

In practice, this is a very difficult thing to do. The political realities are that we are forced to face nuclear weapons, which are much more frightening to our peoples, first in arms control. There is a felt need to make progress in this area.

If we had proceeded as I would say was intellectually the right way to go by linking these two things together, we might not have made any progress at all on the nuclear side. If we now link the strategic arms talks to the conventional problem, given the great difficulty of solving the conventional defense problem through arms control and the great amount of time it is going to take, we will not get a START agreement. I think we are close to a START agreement; we ought to wrap it up and get it.

But at that point we have a whole new ball game.

Senator DIXON. May I interrupt and ask you, at that point, would you say that it is fundamental that one of two alternatives have to be followed, either we have to get a conventional arms control agreement, including chemicals, or we need to substantially improve our conventional position in Europe? Would you say that that is a correct analysis of the situation?

Dr. THOMSON. I agree with that, yes, sir, I agree with that.

Senator DIXON. Now, my good friend who I greatly respect, the distinguished Senator from Michigan, Senator Levin, talks all the time about bean count. I am persuaded he is partly right, but I also think perhaps one ought to be concerned about bean count, and I am somewhat pleased by the fact that you observed or I think imply that in your statement where you talk in particular about tanks and artillery.

And the obvious point you make there is that we are overwhelmed by the numbers, no matter whether you just call it bean count or what you call it, in connection with those two very important offensive weapons, is that true?

Dr. THOMSON. That is true.

Senator DIXON. And a matter we ought to be very much concerned about, I take it.

Dr. THOMSON. We must be.

Senator DIXON. I was interested that you do not mention some other things like attack helicopters and things of that kind, where the fundamental thought is that they are substantially superior to us in Europe.

Was there a reason for that?

Dr. THOMSON. Well, there are lots of other weapons we could consider including in the talks. The ones that come to mind are aircraft, attack helicopters, armored fighting vehicles in particular. My problem there is that as I look at this situation, I find that it is not clear whether those particular weapons are more important to the defensive side or the offensive side. This contrasts to tanks and artillery where I think the issue is clear—those are offensive, much more important offensively than defensively. For this reason, we left the other weapons out of our proposal.

Senator DIXON. Let me conclude with this question. I am running out of time because I have to go to another committee. This is a question about which many of us are concerned, and certainly this Senator is concerned about it.

The bottom line is when you have the INF Treaty and assuming we get START, and I expect we will somehow, you come down to this question of a conventional arms control agreement to include chemicals. Some of us suspect the Soviets are never going to be very cooperative on that.

Would that be your point of view, Dr. Thomson, or do you think in time they will be cooperative on an arms control agreement?

Dr. THOMSON. It depends on what kind of an arms control agreement we are talking about.

Senator DIXON. Well, part bean count, will they reduce their tanks and artillery and reduce their numbers in Europe at least on the border?

Dr. THOMSON. If we are talking about an arms control agreement such as the one that Ambassador Blackwill described yesterday, in which they would reduce their forces to 20,000 tanks and 15,000 artillery pieces, that is a tremendous cut in Soviet forces.

In a sense, by undertaking that cut the Soviets are doing more than cutting their forces. They are making a statement about their political aims toward the West and toward Eastern Europe. They would be making a statement that those political aims had changed substantially.

So to your question really is will the Soviet Union change its political aims toward Eastern and Western Europe so dramatically and so favorably to the West to undertake these reductions?

Now, I have not yet seen evidence that the Soviet Union is, in fact, going to change those aims. If they do, then we may be able to see this sort of outcome. But if we are living with the sort of Soviet Union we have been used to since the Second World War, I have very little hope that this sort of outcome will come about.

Senator DIXON. If I may impose on the Chair for one final question in view of the fact that I have to leave and will not be back this morning.

I agree with what you have said, and so my final question then is, on the alternative of how we beef up our conventional forces and chemical weaponry in Europe, I wonder what the solution there is?

The question of building up our conventional forces in Europe at a time where we see the budget going on a downward scale, particularly for the military side of our budget, how would you suggest, Dr. Thomson, that we treat the alternative in view of those realities of life that face us for the next decade, I expect?

Dr. THOMSON. It is not a pretty picture.

Senator DIXON. No, it is not.

Dr. THOMSON. Senator, I do not have a great deal of hope that we will be able to meet these sorts of conventional defense needs in a few years.

I think what the alliance needs is a long-term program that really does aim to build up its conventional defense forces. That program will take a while to put together. You do not put programs like this together overnight.

We have not had a program like that before. We have had a lot of things in NATO—the Conventional Defense Initiative, the Long-Term Defense Program—but they have not really addressed the unmet needs of the alliance. We need a program to address the unmet needs, be clear this is something we are going to try to do and get started on it, not expecting that it will happen in a year or two. It may be a 20-year program, but we ought to lay it out now.

Senator DIXON. I thank the Chair.

Chairman NUNN. I thank the Senator from Illinois. Senator Thurmond.

Senator THURMOND. Thank you, Mr. Chairman.

Dr. Thomson, if U.S. deployments of Pershing II and ground-launched cruise missiles are an example of how we must deal with the Soviets to achieve a treaty, what actions would we have to take in the area of conventional force improvements to bring about a favorable agreement?

Dr. THOMSON. Senator, I think, as I just was indicating, that we need a program and we need to begin to fund it. It may be a long-term program, but we need a program that will address the unmet needs of the alliance.

Without that program, it is hard for me to see how the Soviet Union would make an arms control agreement that would help us deal with our conventional defense problem.

Senator THURMOND. Dr. Thomson, in your opinion is the conventional imbalance of greater importance than the strategic imbalance, and do you think that we should assign conventional arms reduction a higher priority than strategic weapons reductions?

In other words, should START follow conventional reductions rather than precede them?

Dr. THOMSON. Well, we have a START agreement largely in place, and the emerging agreement appears to be one that will be beneficial to western security needs.

I would say, however, that if we put that aside, if we get that agreement and we can live with it, then we face the question of conventional talks. In that context, with a 6,000 weapon ceiling

START agreement behind us, I believe that conventional arms control ought to have the priority.

Our nuclear requirements, as I indicated earlier, stem largely from the existence of a significant conventional imbalance in Europe. Given that, we really ought not, in my view, proceed much further with nuclear arms control until we have worked on the conventional problem from both the defense and the arms control point of view.

Senator THURMOND. Dr. Thomson, is Mr. Gorbachev's willingness to move forward with conventional arms control an attempt to head off further NATO conventional defense improvements in the post-INF era?

Dr. THOMSON. Potentially. The Soviet military does seem to be concerned about some developments in the western conventional capabilities, especially technological developments involving our ability to undertake attacks on follow-on forces.

I would not be surprised if the Soviets sought to constrain somehow these sorts of qualitative improvements in our forces through conventional arms control.

So to some degree I believe that Mr. Gorbachev's interest in conventional arms control is driven by this concern, but I do not believe it to be the principal factor.

I believe the principal factor is that the Soviets see conventional arms control as part of their broader diplomacy toward the Western alliance aimed in the long run, at the denuclearization of Europe. They felt that the conventional issue had been on the back burner too long, that they were potentially being politically outflanked in Vienna in the MBFR talks, and so they decided to heighten it's importance on the agenda.

I fully anticipate that Soviet proposals in conventional arms control will be principally aimed at continuing the process toward denuclearization of Europe by seeking to include nuclear weapons in the conventional talks.

Senator THURMOND. Dr. Thomson, at a conventional forces reduction treaty, what would happen over time if we found out that the Soviets had very slowly changed their force structure to add, let us say, one additional talk to each tank platoon forward deployed in Eastern Europe, and what should be our response?

Dr. THOMSON. These kinds of improvements in the Soviet forces are taking place all the time. One additional tank in each platoon? That is a lot of tanks when you multiply it through the whole structure of the Soviet force.

Our response ought to be continued buildup of our antitank weapons, which also includes tanks on our side like the M1-A1.

Senator THURMOND. Thank you.

Thank you, Mr. Chairman.

Chairman NUNN. Thank you, Senator Thurmond.

Senator Wirth.

Senator WIRTH. Thank you, Mr. Chairman. Dr. Thomson, thank you for being here.

I wanted to follow up, if I might, on some of the discussion yesterday with your colleague, Ambassador Blackwill, on the proposal that you put together.

As I listened to that, I came to a better understanding of some of the political consequences of decisions we were making. It was, I think, one of the most interesting panels that we have had. I have jotted down this summary of what I think we are facing:

One, a declining budget, or certainly a flat one and an unrealistic sense that that is going to grow;

Second, that we do not have a net assessment as to where we are versus the Soviets that is agreed upon either in this country or by the alliance;

Third, the American public perceives, I think, accurately that a rapidly changing world out there suggests that it is no longer just a bipolar world, but there are concentrations of other powers, and the American public, I would guess, politically is assuming that those concentrations of political and economic power elsewhere in the globe ought to be taking more responsibility for themselves. I think that is focused on Japan, but that spills off onto Europe as well; and

Fourth, the Gorbachev initiatives have not been answered by the West at all, and he has somehow positioned himself with a lot of leverage because we have no response to that.

If all of that is the case, going back to yesterday, we have to figure out what initiatives we can come back with, given those constraints. Those are constraints that are probably pretty real, at least for a period of time.

Do you agree with that?

Dr. **Thomson**. I largely agree with your assessment.

As I indicated in my testimony, I think it is very important at this stage in the history of the Atlantic alliance to take a new look at where we want to go in the future, given these sorts of constraints.

I think the budget constraints are real. One hopes that these are part of a cycle and that we will not be living with these budget constraints forever, but we certainly will have them for a while.

I think you are absolutely right. We do not have a net assessment of where we stand. I think this is much worse in the alliance than it is in the United States. There is not even a good agreed net assessment in the United States.

It may take us another year, given the tides of politics, but I think it is time for the alliance to really step back and try to figure out how it is going to proceed in the future.

As I indicated, there is a crisis of confidence now in the alliance. We do not know where we are going. We are talking about individual elements of policy in a way that has disconnected one from the other, and we do not have a good idea of how to deal with Gorbachev. We ought to have that idea first, and then all other things should flow from that.

Senator **Wirth**. This is a symptom that we do not know where we are going. I have been struck by the incredible response that the country has had to Paul Kennedy's book, "The Decline and Fall of the Great Empire." I find it very interesting that somehow that struck a chord or a tone and has been picked up. You read about it all over the place. I think it is an interesting phenomenon just as a symptom of people re-evaluating our position.

If that is the case, that we have these constraints on us that we were just talking about, we then have to figure out what we do within that set of constraints.

From yesterday, I gather that there are three things that we thought that we could do.

One, the kind of proposal that you and Ambassador Blackwill have put together, to test the Soviet Union and give us a kind of political initiative that people can understand, as you say, ceilings they can understand that that is a test, is the Soviet Union serious about change.

Second, from yesterday, there came again the David Abshire kind of analysis of expenditures. We are spending more than they are, but we are not doing it very well, and we really ought to step back and look again at how we are spending this money and how we might be able to spend it better.

Third, to pick up and build on Stockholm, which could be very positive—we could couch that in a way that could have a very solid political impact for us being able to, as Western democracies, have pretty intrusive systems in the East, which would have a positive impact here.

Those were three things that we could do, as I listened yesterday, within these constraints.

Do you agree with that, and are there others?

Dr. THOMSON. I certainly agree with the first two. I mean, I obviously agree with the first one.

With respect to the second one—why are we spending so much money and getting so little out of it? We ought to be able to do better.

Because we are dealing with entrenched problems in 16 individual nations and lots of individual defense industries, it is a difficult problem to solve. It needs to be constantly worked.

I must say I am not as great an enthusiast of Stockholm as a lot of people. These kinds of agreements are useful. The intrusive sort of agreements are useful. But the balance of military power in Europe is dominated by the forces. Openness and the like will help, but they do not get at the base of the problem, which is the form imbalance. These kinds of arms control do not solve the force imbalance.

Senator WIRTH. I should add on that, yesterday we said that these are no panacea, no substitute, very clearly, but they should be part of an initiative. But it is something that we can also do right away. We can propose that right away; push on numbers.

As I think Blackwill said, he thought that there were not a lot of intellectually bereft at this point or a lot of the proposals demanded a lot of work. If we put a lot of work into them, that may be part of the negotiating posture by the United States and NATO in dealing with the Soviets.

Dr. THOMSON. I am not sure where we stand in putting together our own thinking. The next witness will probably be able to tell you that.

Senator WIRTH. Dr. Thomson, thank you very much. We appreciate your being here. Thank you.

Thank you, Mr. Chairman.

Chairman NUNN. Thank you, Senator Wirth.

We have a lot more questions, I am sure, of this witness, but we also have another witness and we need to get through, at least the chairman does, by 11:30 a.m. because Chancellor Kohl is here and we are going to be meeting with him.

So unless there is another compelling question, I would prefer to go to the next witness.

Senator **Quayle**. It is not compelling, but it is short.

Dr. **Thomson**. But how long is my answer?

Chairman **Nunn**. Short question, short answer. All right, go ahead, Senator Quayle.

Senator **Quayle**. Competitive strategy as a place where do we go from here, are you familiar with it? If so, do you think it is on the right road?

Dr. **Thomson**. Well, insofar as I understand it, it sounds like a good thing to be doing.

Senator **Quayle**. Programwise, it mentions some programs in there, because a number of your responses to various questions were saying that we really need to figure out where to go from here as an alliance, looking at some conventional improvements.

Competitive strategies and some of the programs offer some of those things. We sort of incorporated that in the NDI approach, and I am curious as to whether you think that that is a good starting point.

Dr. **Thomson**. I looked at your NDI ideas. I do think that is a good starting point. I think we need something more than a U.S.-only approach, though. This kind of thing needs to be integrated into the alliance.

Thank you, Mr. Chairman.

Chairman **Nunn**. Thank you, Senator Quayle.

Dr. Thomson, we are very grateful to you for your excellent testimony. We appreciate it. It has been of great help to us, and we hope to stay in touch with you.

Dr. **Thomson**. Thank you.

Chairman **Nunn**. Our next witness is, as already introduced, Mr. Thomas, who is the Principal Deputy Assistant Secretary of State for European and Canadian Affairs and U.S. Representative to NATO's High Level Task Force on Conventional Arms Control, a title which takes three lines. It is a big title, and I am sure that Mr. Thomas realizes the importance of his duties particularly in the post-INF period.

We are delighted to have you, Mr. Thomas, and we are delighted to receive your testimony.

STATEMENT OF CHARLES H. THOMAS, PRINCIPAL DEPUTY ASSISTANT SECRETARY OF STATE FOR EUROPEAN AND CANADIAN AFFAIRS, AND U.S. REPRESENTATIVE TO NATO'S HIGH LEVEL TASK FORCE ON CONVENTIONAL ARMS CONTROL

Mr. **Thomas**. Thank you, Mr. Chairman.

I would like to review with you the current state of play in conventional arms control, particularly as it relates to the alliance.

My last opportunity to join you was November 3 last year, before Senator Levin's subcommittee. My statement then provided a general overview of this administration's orientation to the conventional arms control challenge.

In regard to the implications of INF on this activity, since that testimony, there have been several noteworthy developments. First of all, President Reagan and General Secretary Gorbachev signed the INF Treaty on December 8. As you know, we believe the INF agreement is a milestone in our drive for improved Western security. On the other hand, it has not ameliorated or exacerbated the conventional imbalance we have lived with and struggled to remove for many decades. What INF has done is to focus renewed attention on the conventional situation and thereby to elevate the political salience of dealing with the problem through a combination of arms control and defense improvements. We think this is a healthy development, but it does not alter the importance of achieving early, unqualified ratification of the INF Treaty.

Now, as regards progress toward a stability mandate in Vienna, we have made progress toward an agreed negotiating mandate for new conventional stability talks that would cover conventional forces in Europe from the Atlantic to the Urals. On December 14, representatives of the 16 NATO nations and the seven Warsaw Pact countries, who have been meeting in Vienna since February 1987, agreed on the key Objectives and Methods section of the stability mandate.

Consistent with the original NATO position, Eastern and Western negotiators agreed that the objectives should be the following: to establish a stable and secure balance of conventional armed forces at lower levels; to eliminate disparities prejudicial to stability and security; and to eliminate as a matter of priority the capability for launching surprise attack and large-scale offensive action. This is a capability that NATO neither has nor aspires to.

The participants agreed that reductions, limitations, redeployments, equal ceilings and related measures were among the methods available to achieve these objectives.

Round three of the East-West mandate talks began on January 28. Attention has turned to the Scope section of the mandate, that is, the description of forces to be negotiated. The NATO countries are prepared to deal with all conventional forces, including conventional armaments and equipment, based on land. Naval, nuclear and chemical weapons would be excluded. The East, however, is still pressing to include European-based nuclear forces.

The alliance is firmly opposed to complicating future conventional stability negotiations in this way. We will not allow the Warsaw Pact to shift the focus of the talks from the conventional imbalance, the principal cause of instability in Europe. If the Soviet Union is truly interested in arms control progress, it will agree to deal with the conventional imbalance on its own terms, with no nuclear strings attached.

Other issues remain to be agreed. For example, what territory precisely is meant by Atlantic to the Urals? This needs to be worked out by negotiators in some detail. Furthermore, there must be East-West agreement on the modalities of exchanging views with the 12 neutral and nonaligned countries which are full CSCE participants but, because their forces are not at stake, will not participate in the stability negotiations.

Ultimately, we expect these issues to yield to negotiation. But we have made it clear to the East, the Soviets in particular, that our ability to proceed with the conventional stability negotiations depends on the achievement of a balanced result at the Vienna CSCE followup meeting.

Chairman NUNN. Let me ask you a question on that.

I agree with the importance of Basket Three. I think it is enormously important. But it seems to me we are in an awkward situation regarding this because we are the ones who have the real need, we being NATO, for the Soviets to reduce conventional forces. They have a huge advantage over us, and yet we are saying to them we will not even talk to you about reducing your superiority in tanks until you do X, Y, Z.

I believe in leverage, and I believe in linkage when you have some leverage and when you have some linkage. But suppose they say to us, well, we have been willing to talk on reducing our tanks, but we will just sit here. It seems to me we are not in a leverage situation by making Basket Three a condition for proceeding to talk about them reducing their advantage.

How do we have leverage on that? I just do not understand the leverage or the linkage in this particular case? I would like to link human rights with something where we have some real leverage.

Mr. THOMAS. Sir, I think we actually do have leverage, and every indication——

Chairman NUNN. What is it?

Mr. THOMAS. Every indication we are getting from the Soviets, both in the way they have behaved in Vienna on the conventional stability mandate negotiations and in our conversations in Moscow, they have made it, I think, quite clear that they would like very much to get into a conventional negotiation in Europe. There may be a lot of reasons for this. I do not think we can state with any confidence what those reasons are, but it is certainly evident at the negotiating table.

And I agree, this is a difficult and delicate kind of relationship, but so far it has worked, and the fact that we have already agreed on a section of the mandate, and that the Soviets have not put up some objections that they might have in this process, suggests to me that they are feeling pressure themselves to move ahead.

So I think we are in better shape than might appear from just an abstract analysis of the situation. On the ground it does not look bad.

Chairman NUNN. Well, I am encouraged to hear that.

Mr. THOMAS. Of course, in the area of this balance between Basket Three and security issues we do expect significantly improved compliance with the Helsinki Final Act provisions on human rights and fundamental freedoms. I think we will get that.

Now, on NATO's substantive approach to the stability negotiations, the alliance has registered progress in a third area, our substantive approach to the negotiations. In my last testimony I outlined a number of political and military considerations guiding our approach. These are still operative, but we have moved further along in our thinking. Consistent with the agreed objective of eliminating the capability for surprise attack and the initiation of large-scale offensive action, we have resolved to focus on ground forces as the forces which can seize and hold territory and which have been the principal instruments of intimidation and occupation in Eastern Europe.

We will challenge the Soviet Union and its allies to eliminate disparities in the most threatening elements of ground combat power, and as Jim Thomson has pointed out, tanks and artillery seem to be the indicated units. And this would be particularly true in the central European area.

We will propose force cuts that not only reduce substantially Soviet forces in Eastern Europe but also diminish the capabilities for force generation for offensive action throughout the Atlantic to the Urals area.

We will seek an outcome based on equality throughout the zone. Equal reductions, as the Warsaw Pact suggested in the Budapest Appeal of 1986, will not eliminate the imbalances which threaten stability in Europe. Equal results will be our focus. This will require highly asymmetrical reductions by the East.

We will design other stabilizing measures to enhance stability through increased openness, warning and calculability of military behavior.

We will propose a rigorous and effective verification regime, including the exchange of detailed information about forces and deployments, as well as on-site inspections as a matter of right and routine.

Let me inject a note of realism about what we should and should not expect conventional arms control to do for us.

First, arms control cannot eliminate the fundamental differences in Eastern and Western political orientation and in the nature of our two alliances. Ultimately, it is these divergences that underlie the military confrontation on the European continent. As long as peoples and nations are divided by artificial barriers and human rights are abused in the East, there will be East-West tensions, of which armaments are a reflection.

Second, arms control cannot eliminate the need for conventional force improvements. NATO must show continued determination to reduce the threat we face through a program of defense preparedness. We are continuing to work to improve conventional forces through implementation of the Conventional Defense Improvements action plan adopted in 1985 which highlighted key deficiencies and identified those areas where the greatest return on our defense investment is possible.

We are seeking closer cooperation and coordination designed to achieve greater effectiveness in the application of national resources to defense in a time of increased budgetary constraints.

We support the contribution to the NATO Conventional Armaments Planning system which will make a major, I think, enhancement of our defense planning in the process of allocation of resources devoted to research, development, procurement and production of conventional weapons and equipment.

We have provided sustained support for armaments cooperation projects, for example, through funding provided by the innovative legislation sponsored by you, Mr. Chairman, and your colleagues, Senators Roth and Warner, and the efforts to streamline trans-Atlantic cooperative procurement procedures such as Senator Quayle's amendment.

We are seeking, of course, provision of adequate defense expenditures, and we are trying to help meet the needs of those less advantaged allies in strengthening their conventional defenses.

NATO needs to pursue this program vigorously whether or not we achieve arms control results. The Soviet Union is unlikely to negotiate seriously to redress disparities if NATO is unwilling to pursue a strengthening of its conventional forces in order to prevent undue reliance on the threat of early nuclear use in response to Soviet conventional aggression.

Conventional arms control cannot eliminate the need for U.S. nuclear weapons in Europe that pose a credible threat to the Soviet Union and the rest of the Warsaw Pact should the East initiate aggression. The nature of the East-West relationship and history offer no confidence that conventional forces alone could prevent war. Even if the conventional imbalance were to disappear, nuclear weapons would still be required in Western Europe.

On the positive side, however, we can expect arms control to afford us the opportunity to strengthen stability and security. Our view of a stable environment is one in which each side is free from the fear of sudden attack, one in which the other side's military activities are neither perceived as threatening nor likely to trigger a spiral of hostile reactions leading to confrontation. That is why NATO has emphasized the need to increase openness in military activities, remove destabilizing disparities and eliminate the capability to initiate surprise or large-scale attack.

If we are successful, we will have passed yet another milestone, equivalent in significance to the INF Treaty, on the road to stability.

Thank you.

[The prepared statement of Mr. Thomas follows:]

Prepared Statement by Charles H. Thomas, Principal Deputy Assistant Secretary of State for European and Canadian Affairs and U.S. Representative to NATO's High Level Task Force on Conventional Arms Control

CONVENTIONAL ARMS CONTROL: WHERE WE ARE IN NATO

I am pleased, Mr. Chairman, to review with you the current state of play in conventional arms control. My last opportunity to join was November 3rd of last year before Senator Levin's subcommittee. My statement then provided a general overview of this Administration's orientation to the conventional arms control challenge we face.

Implications of INF

Since that testimony, there have been several noteworthy developments. First, President Reagan and General Secretary Gorbachev signed the INF Treaty on December 8. As you know, we believe the INF agreement is a milestone in our drive for improved Western security. On the other hand, it has not ameliorated—or exacerbated—the conventional imbalance we have lived with, and struggled to remove, for many decades. What INF has done is to focus renewed attention on the conventional situation and thereby to elevate the political salience of dealing with the problem through a combination of arms control and defense improvements. We think this is a healthy development, but it does not alter the importance of achieving early, unqualified ratification of the INF Treaty.

Progress toward the Stability Mandate

Second, we have made progress toward an agreed East-West negotiating mandate for new conventional stability talks that would cover conventional forces in Europe from the Atlantic to the Urals. On December 14, representatives of the 16 NATO nations and the seven Warsaw Pact countries, who have been meeting in Vienna since February 1987, agreed on the key "Objectives and Methods" section of the stability mandate.

Consistent with the original NATO position, Eastern and Western negotiators agreed that the objectives should be:

—to establish a stable and secure balance of conventional armed forces at lower levels;

—to eliminate disparities prejudicial to stability and security; and,

—to eliminate, as a matter of priority, the capability for launching surprise attack and large-scale offensive action (a capability NATO neither has nor aspires to).

The participants agreed that reductions, limitations, redeployments, equal ceilings, and related measures were among the methods available to achieve these objectives.

Round three of the East-West mandate talks began on January 28. Attention has turned to the "Scope" section of the mandate—that is, the description of forces to be negotiated. The NATO countries are prepared to deal with all conventional forces, including conventional armaments and equipment, based on land. Naval, nuclear, and chemical weapons would be excluded. The East, however, is still pressing to include European-based nuclear forces.

The Alliance is firmly opposed to complicating future conventional stability negotiations in this way. We will not allow the Warsaw Pact to shift the focus of the talks from the conventional imbalance, the principal cause of instability in Europe. If the Soviet Union is truly interested in arms control progress, it will agree to deal with the conventional imbalance on its own terms, with no nuclear strings attached.

Other issues remain to be agreed. For example, what territory, precisely, is meant by "Atlantic to the Urals"? This needs to be worked out by negotiators in some detail. Furthermore, there must be East-West agreement on the modalities of exchanging views with the neutral and nonaligned countries, which are full CSCE participants but (because their forces are not at stake) will not participate directly in the stability negotiations.

Ultimately, we expect these issues to yield to negotiation. But, we have made it clear to the East—the Soviets in particular—that our ability to proceed with the conventional stability negotiations depends on the achievement of a balanced result to the Vienna CSCE Follow-up Meeting. This includes significantly improved compliance with the Helsinki Final Act provisions on human rights and fundamental freedoms.

NATO's Substantive Approach to the Stability Negotiations

The Alliance has registered progress in a third area—our substantive approach to the stability negotiations. In my last testimony, I outlined a number of political and military considerations guiding our approach. These are still operative, but we have moved further along in our thinking. Consistent with the agreed objective of eliminating the capability for surprise attack and the initiation of large-scale offensive action, we have resolved to:

Focus on ground forces, as the forces which can seize and hold territory and which have been the principal instruments of intimidation and occupation in Eastern Europe;

Challenge the Soviet Union and its allies to eliminate disparities in the most threatening elements of ground combat power (tanks and artillery, for example), particularly in Central Europe;

Propose force cuts that not only reduce substantially Soviet forces in Eastern Europe, but also diminish the capabilities for force generation for offensive action throughout the Atlantic-to-the-Urals area;

Seek an outcome based on equality throughout the zone. Equal reductions, as the Warsaw Pact suggested in the Budapest Appeal of 1986, will not eliminate the imbalances which threaten stability in Europe. Equal results will be our focus; this will require highly asymmetrical reductions by the East;

Design other stabilizing measures to enhance stability through increased openness, warning, and calculability of military behavior;

Establish a rigorous and effective verification regime, including the exchange of detailed information about forces and deployment, as well as on-site inspections as a matter of right and routine.

What We Should Expect from Conventional Arms Control

In closing, let me inject a note of realism about what we should and should not expect conventional arms control to do for us. First, arms control *cannot* eliminate the fundamental differences in Eastern and Western political orientation and in the nature of our two alliances. Ultimately, it is these divergences that underlie the military confrontation on the European continent. As long as peoples and nations are divided by artificial barriers and human rights are abused in the East, there will be East-West tensions, of which armaments are a reflection.

Second, arms control *cannot* eliminate the need for conventional force improvements. NATO shows continued determination to reduce the threat we face through a program of defense preparedness. We are continuing to work to improve conventional forces through:

Implementation of the Conventional Defense Improvements (CDI) action plan adopted in 1985, which has highlighted key deficiencies and identified those areas where the greatest return on our defense investment is possible;

Closer cooperation and coordination designed to achieve greater effectiveness in the application of national resources to defense in a time of increased budgetary constraints;

Support for the contribution the NATO Conventional Armaments Planning System (NATO CAPS) will make to defense planning and allocation of resources devoted to research, development, procurement, and production of conventional weapons and equipment;

Sustained support for armaments cooperation projects, through funding provided by the innovative legislation sponsored by you, Mr. Chairman, and your colleagues, Senators Roth and Warner, and efforts to streamline trans-Atlantic cooperative procurement procedures, such as Senator Quayle's timely amendment;

Provision of adequate defense expenditures; and,

Helping to meet the needs of those less advantaged Allies in strengthening their conventional defenses.

NATO needs to pursue this program vigorously whether or not we achieve arms control results. The Soviet Union is unlikely to negotiate seriously to redress disparities if NATO is unwilling to pursue conventional force improvements. NATO must also strengthen its conventional forces in order to prevent undue reliance on the threat of early nuclear use in response to Soviet conventional aggression.

Third, conventional arms control *cannot* eliminate the need for U.S. nuclear weapons in Europe that pose a credible threat to the Soviet Union and the rest of the Warsaw Pact should the East initiate aggression. The nature of the East-West relationship and history offer no confidence that conventional forces alone could prevent war. Even if the conventional imbalance were to disappear, nuclear weapons would still be required in Western Europe.

On the positive side, however, we *can* expect arms control to afford us the opportunity to strengthen stability and security. Our view of a stable environment is one in which each side is free from the fear of sudden attack, one in which the other side's military activities are neither perceived as threatening nor likely to trigger a spiral of hostile reactions leading to confrontation. This is why NATO has emphasized the need to increase openness in military activities, remove destabilizing disparities, and eliminate the capability to initiate surprise or large-scale attack.

If we are successful, we will have passed yet another milestone, equivalent in significance to the INF Treaty, on the road to stability.

Chairman NUNN. Thank you very much, Mr. Thomas.

I am pleased that you have portrayed here today a sense of direction about where the alliance is going and a sense of progress. I have been frustrated that it has taken us this long to come up with any kind of agreement.

I guess my question really goes to the timing.

Where are we in regard to our own Government's work on a comprehensive kind of conventional arms control proposal? Have we got a proposal in the U.S. Government today that has gone through the interagency process, or is that somewhere in between?

Mr. THOMAS. I think it is correct to say it is somewhere in between. We have launched a number of intensive studies. We are taking advantage of outside work of the type that Jim Thomson and RAND have been doing, and there are other studies under way.

It is a very complex task. The answers are not simple, and I think it is important to do it right the first time and not walk into the negotiation with a defective proposal that we cannot live with for the time necessary to negotiate.

Chairman NUNN. I think that is very important. I think there is more than one dimension here.

Dr. Thomson and I have discussed before that we should not focus on United States-Soviet forces in the first phase. I understand the arguments against that, and there are some good points against doing it that way.

On the other hand, as we look at the budget over the next 5 years, and at the length of time that a conventional arms control negotiation is going to be going on, you start talking about equal ceilings. That may be the best approach. I reserve my judgment on that.

But you have got to make sure that the United States does not get itself, with our own arms control proposal, into a situation where we have no flexibility whatsoever for the next 5 to 10 years in terms of our forces in Europe. That is a very important consideration, I think.

I am not in any way advocating withdrawal at this point in time, but I think some restructuring of our forces has to be left open as a possible option. You can get yourself locked in. The history of MBFR was to ward off the Mansfield amendment. A lot of that came from warding off the Mansfield amendment, and there was not a serious discussion of stability as a prelude to that.

Now we have got a serious discussion of stability, and I think in our own proposal we have to consider that stability is a number one objective. A close number two is some flexibility within the alliance about various force components. The United States has to make some adjustments, perhaps beefing up tactical air, where we are very strong, and perhaps reducing some of the commitments for heavy forces, tank forces, where we have a very difficult time transporting them there in time.

So this is an enormously important proposal that has to take into account more than simply a narrow definition. We have to consider that we may be at the negotiating table for 5 to 10 years, and what happens to our negotiating position if various budget squeezes and strategy considerations force us into some adjustments. For instance, I do not agree with everything in the recent report by the Secretary of Defense's appointed Task Force on Strategy, but there is a long term look here, and I congratulate them on taking a long term look. Any time you can get any group in Washington, in the government, to look beyond 1 year, you have got to pat them on the back, no matter what the substance of it is.

The long term look there indicates a need for more flexibility, and I think it is very important that we consider some of this in terms of our own proposals.

Mr. THOMAS. Well sir, I think that we have tried to take that into account as we attempt to devise a proposal, and that we are looking at the long term, taking into account that there is a very stringent budget situation not only in the United States, but throughout the alliance, and that there are demographic problems as well which are worse on our side than they are with the Soviet Union and the Warsaw Pact.

I think an arms control proposal is going to take some time to elaborate because it does have to take into account a much more comprehensive set of factors, including ones you have suggested, than what we did in MBFR, which got narrowed very quickly in its scope.

Chairman NUNN. Our committee met informally with Dutch Defense Minister Willem van Eekelen, and he is chairman of the EuroGroup. We met with him yesterday, and some of us met with him after the Wehrkunde Conference in Germany last week.

He indicated the Dutch have put forward a two-pronged proposal that relates, for common collective ceilings and so forth.

Have the other allies put forth their proposals yet in any kind of formal or informal way? In other words, where are we in terms of getting the views of other members of NATO?

Mr. THOMAS. We have been meeting very frequently in the HLTF, and there have been numerous proposals put forward by the allies.

Chairman NUNN. Most of them of an informal nature at this stage?

Mr. THOMAS. At this stage everybody is operating on the assumption that this is an alliance enterprise, and what emerges will be an alliance product, yes sir.

Chairman NUNN. Is there an evolving consensus that you feel? I mean, are we getting some fundamental points of agreement?

Mr. THOMAS. Yes, we are. I think the focus, for example, is on tanks and artillery, with the possibility of one addition. The Germans have been arguing for armored infantry fighting vehicles, but the focus on major items of equipment that are essential to an offensive operation I think is an area of almost total consensus so far.

Chairman NUNN. Whatever the focus, another dimension here has to be to consider the long term stability of both Western Europe and Eastern Europe, particularly the latter. It seems to me there is a real case to be made to try to front end the Soviet withdrawal rather than some kind of ceiling that allows Soviet divisions to remain and with reductions in the East European forces. To me that is another advantage of putting at least the initial stage reductions on Soviet forces.

From a military point of view, I cannot conceive of a situation where a Warsaw Pact attack is led by non-Soviet forces. If you can reduce those Soviet forces up front, even though the numbers may indicate the Pact continues to have a large presence, it seems to me there is a real case to be made, either under a ceiling approach or under some kind of superpower approach, to put a heavy emphasis on the withdrawal of Soviet forces in Eastern Europe.

How do you feel about that?

Mr. THOMAS. This has been one of the focuses of our discussion, and there have been a lot of ideas generated concerning the possibility of getting at stationed forces. That is where there is a disproportionate number of stationed forces in the country, as there are in Eastern Europe. And that gets right at the Soviet presence.

Chairman NUNN. Senator Warner.

Senator WARNER. Thank you, Mr. Chairman.

Mr. Secretary, as you may know, the majority leader, together with, Chairman Nunn, the chairman of the Foreign Relations Committee, the chairman of the Intelligence Committee, and myself, just made a rapid swing through five NATO capitals and met extensively not only with the heads of state and government, Mrs. Thatcher, Chancellor Kohl, President Mitterand and so forth, but with a great many of their other officials.

There is some apprehension that Gorbachev is going to seize this opportunity and leap out to capture the hearts and the minds of more people in Europe by projecting himself as the image of the great peace maker and either announce some sort of a symbolic withdrawal of certain elements of Soviet forces, or combined Soviet and Warsaw Pact forces, or lay down a framework of what should be done.

What is your reading on that?

Mr. THOMAS. Well, this is a threat that has been discussed for the past 1½ years as a possibility. So far it has not materialized, and if the Soviets did do it, clearly they would do it at the expense of negotiating leverage in a conventional arms control negotiation which they are hoping to get started this year.

So I sure would not say that this could not happen, and there would be some real political advantages for the Soviets to do it, but it would be at some expense to their position at the negotiating table.

Also, they have done some things like this in the past. You recall they pulled, or said they pulled, 20,000 troops out of East Germany. Now, maybe they did, maybe they did not; or maybe they all came back 2 weeks later. We never knew. But that really did not get them very much politically, and I think that publics are wise enough to realize that an unverified, unilateral move is not necessarily—particularly on the Soviet side where there is not the kind of transparency there is in the West—a valuable contribution to arms control.

Senator WARNER. Well, I just follow on with the chairman's questions about the timing of certain things that might take place. We were informed by Manfred Woerner, who is going to be the next Secretary General of NATO, that there is a good deal of work going on in NATO, and that possibly at the March summit there might be some announcements?

Mr. THOMAS. We would like to see some announcement that would reflect the kind of consensus that exists so far in the alliance on this question.

Senator WARNER. In the March timeframe?

Mr. THOMAS. Yes, sir, and it would follow up on the Brussels Declaration and what the alliance has done in this area.

Senator WARNER. It is just a concern of those of us who are actively seeking the support of the public for these accords, whether we are legislators or parliamentarians, that this game is being played by Gorbachev very skillfully, and is not to be discounted.

I am looking at your opening statement dated February 16. This is a statement you made: "On December 14, representatives of 16 NATO nations and seven Warsaw Pact countries who have been meeting in Vienna since February 1987 agreed on the key objectives and methods section of the stability mandate."

What is that forum?

Mr. **Thomas**. This is in the mandate discussions which are taking place in the CSCE process but independent of it.

Senator **Warner**. That is the point I make, because I have always heard that France is a part of that.

Mr. **Thomas**. They are indeed.

Senator **Warner**. The numbers do not add up, then. You have 16 representatives of NATO.

Mr. **Thomas**. Yes. That includes France.

Senator **Warner**. I see.

Mr. **Thomas**. They are there at the table with us.

Senator **Warner**. During our visits there was a good deal of discussion about the third zero option and the likelihood that some would try to start in parallel with conventional talks on the third zero option.

The leadership, as I am sure you know, is strongly opposed to that. Particularly within West Germany there are elements that would try that tact. As a matter of fact, momentarily we will be visiting with Chancellor Kohl.

What is your view on the likelihood of that issue being raised and which way is it likely to move?

Mr. **Thomas**. There is very strong opposition in NATO and in the HLTF group to in any way bring nuclear weapons into these conventional negotiations.

Senator **Warner**. I do not think they would ever be incorporated as a part of the agenda. There could be a separate forum established running concurrently.

Mr. **Thomas**. We do not think it is a wise idea to get into that.

Senator **Warner**. I agree with you, and we are coming down very firm on that in all of our discussions.

Mr. **Thomas**. I think that will be very helpful, and I think that what you will be able to tell the Chancellor today will also be very helpful.

The problem with getting into a negotiation now on nuclear weapons with a range under 500 kilometers is that you inevitably will be faced—we know we will be faced because they have already made the proposal—with a suggestion that we go to zero, and that will have a lot of political impact.

Maybe I am not really disagreeing with him because I am not sure that Jim intended to say this when he was testifying, but he said we do not need nuclear weapons in a situation where we have conventional stability. We would argue that we still need nuclear weapons in that environment. You may have stability, you may have equality, but that does not assure you that a country would not launch an attack. There are numerous examples in history.

Senator **Warner**. If we are going to continue with the doctrine of flexible response, we must continue the element that strategic weaponry is essential.

Mr. **Thomas**. That is right.

Senator **Warner**. I thank the Secretary, and I thank the chairman.

Chairman NUNN. Could I follow on with a question? What is your definition of the third zero?

Mr. THOMAS. A third zero would be to have no nuclear weapons in ranges under 500 kilometers.

Chairman NUNN. We get different definitions on this, because most people that I have talked to are considering the third zero to be ground-launched missiles, not touching the battlefield artillery and not touching the aircraft.

Are you saying it would include all the nuclear artillery?

Mr. THOMAS. Yes, sir. The Soviets clearly have this in mind.

Chairman NUNN. Everything?

Mr. THOMAS. Everything. They are currently making a very major effort, which is public, to include dual capable aircraft in the conventional negotiations. This would either be in their capacity as nuclear weapons carriers or in mentioning them in this negotiation with the clear implication that the nuclear aspect of their mission would be considered later on.

Chairman NUNN. What would be the numbers in the third zero, approximate numbers, between U.S. weapons and Soviet weapons?

Mr. THOMAS. We have around 4,000 nuclear weapons right now of all sorts in Europe. I have forgotten the Soviet numbers. Frankly, I would have to provide you with a number.

Chairman NUNN. People keep confusing these terms, because to some people third zero simply means moving out your ground-based systems. You keep hearing talk of 1,200 versus 88, and they are talking about nothing but our Lance.

But that is not your definition?

Mr. THOMAS. That is not the Soviet definition. They are talking about all nuclear weapons in Europe. That is their target.

Senator WARNER. Now, in Europe that is on land not, say, 2 miles offshore?

Mr. THOMAS. They would like to get at that, too. They have in the past made some vigorous efforts to capture for example, carrier-based aircraft.

Senator WARNER. That is not a definition, Mr. Chairman. It is a fishnet.

Chairman NUNN. That means we would not need the two aircraft carriers, right? [Laughter.]

Senator WARNER. We are building two new carriers in Virginia now.

Chairman NUNN. Senator Wirth.

Senator WIRTH. Thank you, Mr. Chairman.

Mr. Secretary, on page 2 of your testimony you say, "We will not allow the Warsaw Pact to shift the focus of the talks from the conventional balance."

How do you not allow the Warsaw Pact to do that?

Mr. THOMAS. We will not agree to a mandate that includes nuclear weapons.

Senator WIRTH. That is different from allowing the Warsaw Pact to shift the focus of the talks.

The political reality of this which we have been discussing now for a number of weeks is the attraction of the Gorbachev proposal for the third zero, 15 to 1 on Lance or however he defines it.

This is my question. It seems to me that we have to be in a position of having an alternative rather than going in and saying no, that is not on the table. Do we not have to have an alternative of some kind to counter what he is proposing, or is it sufficient to go in and say no, we are not going to do that?

Mr. THOMAS. I do not think, frankly, that there is great resonance in Europe for the idea of a third zero. I think a lot of Europeans, especially Europeans who think about these things in a systematic way, would be very worried if there were a move toward a third zero.

Senator WIRTH. European leadership?

Mr. THOMAS. European leadership, sure.

Senator WIRTH. Let me just tell you. As a working politician, I think that for us to go in and say that we are just going to say no to everything that Gorbachev proposes in the way of downsizing of the nuclear arsenals and of tactical nuclear weapons or a third zero or whatever, loses in open Western industrial democracies. He is doing a better job than we are of playing the music to publics here.

If he is coming in, as he is now, as the Soviets are doing now, making all kinds of overtures, for us to just say no is not very imaginative.

It seems to me that, as was being discussed yesterday afternoon in the panel, there ought to be some counterproposals that we are making where we push it back to him rather than just being in the position of saying no.

That is why I asked you, when you say we will not allow them to shift the focus, how do we avoid their shifting the focus other than saying we are not going to put it on the agenda? How do we do it?

Mr. THOMAS. That statement relates to the mandate negotiations. Sure, they are trying to shift the focus in the political arena.

Senator WIRTH. You all have to think about the politics of it as well as the technicalities of it, do you not?

Mr. THOMAS. We are thinking about that. We have done some major things along those lines. The whole Montebello effort, which pulled a large number of nuclear weapons out of Europe——

Senator WIRTH. We are now in February of 1988, and I will tell you that there are not very many people who know what Montebello was or remember back to the fact that we pulled a larger number of weapons out.

We are talking the politics of the Gorbachev proposals playing in Western industrial democracies who are weary of an enormous amount of expenditure, all of the things that I was talking to Dr. Thomson about before.

It seems to me that it is incumbent upon the United States and the alliance to have counterproposals when Gorbachev and the Soviets are lobbing stuff up that sounds very good if you say it fast enough. We have to be in a position, I would think, to be anticipating that.

Yesterday afternoon, for example, one of the witnesses talked about the possibility of maybe looking at the fact that nuclear artillery is not a viable weapon system. We would never use it, and maybe we ought to be couching a proposal in that fashion to eliminate that while we upgrade Lance or whatever.

They can shift the focus politically. We cannot shift the focus by saying do not shift the focus.

Mr. THOMAS. We are not saying that. This is in relationship to the specific item of the mandate negotiations.

We are thinking about this problem. We do have some ideas, but it is not something, I think, that we want to talk about in an unclassified hearing.

Senator WIRTH. Well, the public is certainly going to read about it in an unclassified way.

Mr. THOMAS. But if we have a proposal to make, obviously we would not want to reveal our hand.

We have thought a lot about this question in Europe. We thought a lot about the sort of charm offensive that has been taking place. All the points you make are valid.

On the other hand, just because the Soviets are saying it does not mean that we have to take an action to, say, pull out nukes just because they have a new proposal.

Senator WIRTH. Nobody is saying pull out nukes because of the proposal. I think we have to be in a position in an imaginative way to be countering that, anticipating that.

Mr. THOMAS. That was really the intent of the Montebello process. Now, it may be true that publics have forgotten that, but it is a fact.

It is also a fact that we have just concluded a major arms control agreement in this area. So I cannot say that we are completely without weapons in this dialogue.

Senator WIRTH. Let me ask just one final question. What is the timetable? When do these discussions with the Soviets begin? Are they going to be in Vienna sometime in the fall? Is that right?

Mr. THOMAS. We are in mandate discussions now, and once a final document is agreed in the Vienna CSCE conference, this mandate will emerge and go on its independent course, and those negotiations will begin.

Senator WIRTH. When would those negotiations begin?

Mr. THOMAS. If you assume that Vienna could conclude sometime in the middle of this year, I think there is every indication that the Soviets, at least, would like to get these negotiations started quickly, which means the fall.

Senator WIRTH. So if they start in the fall, presumably we have to have a coherent NATO position going into that, is that correct, say, the first of October or whatever?

Mr. THOMAS. Yes.

Senator WIRTH. Which means that we then have to have a U.S. position going to NATO at what date, if you work backwards from then to now and give us an idea of a timetable?

Mr. THOMAS. We have laid out, as indicated here, the sort of broad outlines of a position, which reflects U.S. views, with the focus on tanks and artillery, the Atlantic-to-the-Urals area, and the central front.

These are all key elements in laying the groundwork for a concrete proposal.

Senator WIRTH. Is there a U.S. position with which we are going to NATO?

Mr. THOMAS. Absolutely, yes.

Senator WIRTH. This is not just thematically? We have the specifics of a proposal that we have taken to NATO?

Mr. THOMAS. We have, yes.

Senator WIRTH. Is that public?

Mr. THOMAS. It is not public. These discussions are within NATO councils, and we would not want to make it public at this stage since we are obviously evolving in our positions on all sides. So it is in internal NATO discussion right now.

Senator WIRTH. When will the NATO position then become firm?

Mr. THOMAS. It will not become public until it is laid down at the negotiating table, although I think that the broad outlines are already there, and they will be cleared as we move towards the negotiating table.

Senator WIRTH. Thank you, Mr. Secretary.

Thank you, Mr. Chairman.

Chairman NUNN. Mr. Secretary, just one other question.

I know that when you ascertain the verification procedures required for your proposals and for counterproposals made by the other side, often you wait until you see what area you are going to get some agreement in before you try to definitely ascertain the verification.

I do not think verification ought to be the only factor or the only consideration in arms control. We may have to reach a point in chemical arms control where we are willing to take more risk than we would otherwise want to take because of the political reality of how hard it is for us to ever get a chemical capability.

So there are areas where you have to have some flexibility, but in the conventional arena and conventional arms control, it seems to me that from the very outset we ought to be considering at least the broad parameters of a verification regime.

There are some proposals that we have heard that make a lot of sense in terms of on their face value, but I just do not see how you verify them. For instance, there are proposals being made about thinning out of tanks, thinning out of artillery tubes and those kind of things.

It seems to me that is inherently very, very difficult to verify as opposed, for instance, to taking out whole units, where you have to physically see the unit move out and where the unit is not only something you measure when it leaves but you measure it when it arrives.

Are you considering those kind of things at the beginning of this process?

Mr. THOMAS. Darn right. I think we are still suffering from the momentum of an approach, going back into the past, where negotiability was a major factor in the drafting of our proposals. We are not looking at it that way right now. We are looking at what we really need to verify.

This is complemented by the fact that the Soviets have indicated that they are open to very radical changes in the verification area. This is reflected, in part, in the INF Treaty, and if you look at the joint statement of START from the summit you see it there, too.

These are things that never would have been possible with the Soviet Union in the past, and we need to exploit the possibility that we could have real transparency and verifiability. It also gets at some other things.

I would not share Dr. Thomson's view on the utility of the Stockholm agreement. I think it marked the first time that the Soviets accepted on-site inspection in an arms control agreement and was, to that degree, a rather significant achievement.

Chairman NUNN. You say you would agree to that?

Mr. THOMAS. I would say that Stockholm was quite significant.

Chairman NUNN. Is that what he said?

Mr. THOMAS. He was saying it was not that significant.

It was significant because Akhromeyev brought this offer of on-site verification which has now been codified in the INF Treaty.

I think what you are suggesting is that we ought to be very rigorous in this area, and I think we should. I think we should ask for everything we need, and we will.

Chairman NUNN. Senator Wirth has talked a good deal about following on Stockholm by making on-site inspections and transparency and those kind of measures.

I have thought a good bit about that, and it seems to me that when you know that you are going to have to have that kind of rigorous on-site inspection as a follow-on to any substantive arms control agreement, like the reduction of tank armies or tank forces or whatever it ends up being, that there is a case to be made to try to get something up front that would give more warning time in terms of on-site observers in airfields or at railroad yards and even at headquarters. You might want to make a two-prong approach so you get your verification regime set up in the form of operational arms control and begin to have that operational if you can get an agreement.

If you cannot, that tells you something about how you shape your conventional proposals or how you try to compensate for the lack of arms control.

It seems to me that, at least thinking out loud here, there is a case to be made for trying to get that verification regime set up in advance and have it begin to pay off in terms of operational arms control, more warning time.

I do not know whether you have given any thought to that, but I would think at the beginning of this process we need to ascertain whether we really are going to get Soviet cooperation of an unprecedented nature in terms of on-site kind of capabilities.

Mr. THOMAS. Well, we certainly have been giving a lot of thought to that, and we have discussed it in the HLTF. There is no reason in the world why you would have to have a negotiating package where everything was done at the same time. There would be a lot of sense in negotiating some transparency measures of this type early on.

In fact, the Soviets have, themselves, talked about an early exchange of data. It makes sense in a negotiation to have the data agreed, or not necessarily agreed but exchanged ahead of time.

I would seize on one thing you said, which is warning time. That is one of the dynamic factors that makes the change in the Soviet position at Stockholm rather significant. Anything we can do to enhance warning time has a major effect on the dynamic situation that Jim was describing.

So we would sure like to do that, and if we can do it we will.

Chairman NUNN. I would hope that in that quest for more warning time, we would also get our own house in order as to what we do once we get a warning time. It seems to me that the more warning time we get, the better; but if you want any kind of dramatic improvement, it would be some kind of breakthrough that does not involve the Soviets as to what we do in the alliance once we get a warning and how we react. I think that will be more and more important as we go along.

Mr. THOMAS. If we did what you are suggesting, we would have, for example, on-site observers at key rail and road nodes. If these guys started reporting back that there was a massive influx of Soviet tanks it would make political problems of generating a response a whole lot easier than some sort of ambiguous intelligence-related or overhead reconnaissance type situation.

These would probably be observers from all over the alliance, and it would not be the kind of ambiguous warning situation that we are dealing with right now.

Chairman NUNN. I think the more that the alliance convinces the Soviets that we do have our act together and can react to warning time and have set agreed procedures as to how we are going to behave once we get a sign, I think it would make the whole regime of transparency more easy to obtain or less difficult.

I think any of this is going to be difficult. I would not want to use the word "easy" relating to any of it, but would make it more apparent to them that they are not going to be able to launch a surprise attack and, therefore, less adamant on not cooperating.

I would think that they have pretty good reason to believe now that even if NATO gets warning, there is going to be a very hard political decision to ever do anything about it.

Mr. THOMAS. That is true, and it would be a real plus if we could negotiate something along those lines.

Chairman NUNN. Senator Wirth, do you have any other questions?

Senator WIRTH. Just politically, I think your case is easier as well if some of those observers at those nodes are Belgian or Dutch or Danish or whatever. That helps, it seems to me, the political process.

Mr. THOMAS. Sure. This is an alliance enterprise, and they certainly would be. They would be drawn from the entire set of nations in NATO.

Senator WIRTH. Beyond that, the politics of having people from countries that are going to be more skeptical, if they could have their own observers coming back and saying, hey, something else is going on is going to help as well.

Is there a group that is working on a set of next steps to Stockholm, a set of further confidence-building measures or more transparencies? Is there a working group on that?

Mr. THOMAS. Yes, there is.

Senator WIRTH. Is that working group here in the Defense Department or State Department?

Mr. THOMAS. There is an interagency group that includes Defense and State, CIA and everybody else involved in this.

Senator WIRTH. What is that called?

Mr. THOMAS. It is called the Conventional Forces IG, and then there is a working group under that that deals with CSBMs.

Senator WIRTH. CSBM stands for?

Mr. THOMAS. Confidence and Security Building Measures, and that is the acronym for the measures that were agreed on at Stockholm.

Chairman NUNN. Secretary Thomas, thank you very much.

Dr. Thomas, thank you very much.

We have been the beneficiaries of excellent testimony this morning. We have a lot to think about. We appreciate it. Thank you.

Our committee will meet again at 1 p.m. in the Caucus Room to receive the Defense budget presentation by Secretary Carlucci and Admiral Crowe.

[Questions for the hearing record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR CARL LEVIN

Senator LEVIN. Mr. Thomson, you note in your prepared statement that your study concludes that "mutual NATO and Warsaw Pact reductions through conventional arms control would have to be very large and highly asymmetrical in favor of NATO".

Several other witnesses have told us that reductions along the lines of those suggested by Chairman Nunn, which are highly asymmetrical but not very large, would significantly improve NATO security vis-a-vis the serious short warning threat we face.

Did your study look at the short warning scenarios in concluding that very large highly asymmetrical reductions would be necessary? What pre-war mobilization scenario or scenarios did you examine?

Dr. THOMSON. The base case in our study was a "5/10" scenario—10 days of preparation by the Warsaw Pact forces and five days by NATO. I consider this to be a fairly short warning scenario. In this scenario, a reduction of two NATO divisions in exchange for 13 Warsaw Pact divisions would modestly, but not substantially, improve the balance. Given 10 days of mobilization and a subsequent 30-day conflict (the base case for our analysis), the Warsaw Pact would have ample time to bring substantial forces into play, even accounting for the 13 division reduction. Only when we were able to increase the size of the reductions, for example, four divisions in exchange for 26 Warsaw Pact divisions, were we able to see a substantial improvement of the overall balance.

Although we did not explicitly analyze shorter warning scenarios, I believe I can speculate on the potential results, based on our analysis. For example, I believe that for a "2/4" scenario, the 2 and 13 division reductions would have been more significant. For such a scenario, in the unreduced case, Warsaw Pact forces might have a good chance of forcing early breaches through NATO's forward defense, which would not have had adequate time to prepare itself. In the reduction case, this might not have occurred and the Warsaw Pact would have to wait for reinforcements to be brought up to the line before it could mount major attacks. Thus, the reductions would have reduced the credibility of the short warning attack scenario.

The key point here is that very large and highly asymmetrical reductions are needed to have a positive effect on the balance across a range of scenario outcomes from short warning/short war to long warning/long war. It is, however, possible to effect the short warning/short was scenarios with smaller, but still highly asymmetrical, reductions.

From the point of view of defense and arms control planning, however, we should ask how much stress we should place on the short warning attack scenario. My own discussions with experts in Soviet military affairs suggest that the Soviets would be unwilling to try to mount a "surprise" attack unless they could also assure themselves that a sufficient mass of forces was available. Although Soviet military leaders would prefer to have both mass and surprise, when forced to choose, they prefer mass: An attack mounted with very little preparation can have high payoffs, if successful; but that attack is also extremely vulnerable to counterblows and thus to catastrophic breakdown. My view is that the Warsaw Pact would require at least a week of preparation to be able to mount the large-scale attacks that Soviet military leaders would probably prefer. Unless the Alliance failed to respond to the ample warning indicators that this preparation would produce, the West ought to have adequate time to move into its defense positions and do a modest amount of preparation.

Senator LEVIN. Mr. Thomson, you've shown us the result of your simulation in terms of territory lost over time, and how that result compares with NATO's stated military objective.

How does the result of your simulation compare to what we know about Soviet military objectives? Does your result indicate the Soviets achieved their military objective?

Dr. THOMSON. We don't actually know Soviet military objectives precisely. I would assume, however, that if they chose war, the Soviets would seek a decisive defeat of NATO. Whether such a defeat would have occurred as a consequence of the territorial advance of Warsaw Pact forces, shown in our base case in the study, is arguable. On the one hand, Warsaw Pact forces had not reached the Rhine and certainly not the English Channel in 30 days; they had overrun about one-third of West Germany. If their objective was a decisive military defeat, they would probably want to reach at least the Rhine. On the other hand, the loss of this amount of territory would threaten the integrity of the Federal German state, the defense of which would be the NATO objective. The political consequences of this are incalculable today, but could obviously be quite disastrous for the West and lead to a Soviet achievement of their military objectives for a combination of political and military reasons.

Senator LEVIN. What is the likelihood of that result occurring? Is that result likely to occur 80% of the time? Is it more likely than not? What is the level of risk here for the Soviets? What kind of confidence could they have of getting this result? What kind of confidence could they have of achieving their military objective?

Dr. THOMSON. The calculations in our study are expected value calculations. This means that, for a given set of input assumptions, this is the average result. But the input assumptions create great uncertainties. As we indicated in our study, a simple change in assumptions about the readiness of Soviet forces in the Western Soviet Union can produce a far more favorable result from the Soviet standpoint—a decisive military defeat for NATO. Thus, I think it is very difficult to say today what degree of confidence the Soviets would have in achieving their military objectives—assuming these include a decisive military defeat of NATO. I think we can say that they cannot be certain of achieving those objectives.

Senator LEVIN. What kind of casualties have both sides sustained in getting to the result you arrived at? What kind of exchange ratio did you get, were two Pact tanks destroyed for every NATO tank? Three to one? What kind of casualties did the non-Soviet Warsaw Pact forces suffer? What do the forces remaining on the battlefield look like at the end of your simulation?

Dr. THOMSON. The casualties on both sides have been quite heavy. Both sides have lost roughly half the forces that were engaged. The Pact/NATO ratio of losses was around 2:1 on the average. Both sides' forces would have been severely decimated, although the Warsaw Pact would still have the option of drawing upon the Soviet central reserve forces (those deployed in peacetime in the Moscow area), which had not been engaged as of yet in the simulation.

Senator LEVIN. Dr. Thomson, your study sets a standard for a stalwart NATO defense and then compares the force improvements necessary to achieve that capability to the asymmetrical reductions necessary to achieve that capability.

Did you look at intermediate solutions, such as various combinations of conventional force improvements with smaller or less asymmetrical force reductions? What would some possible combinations of arms control and force improvements be?

Dr. THOMSON. There would be an entire range of possible combinations of arms control results and force enhancements, ranging from no arms control plus a force enhancement package consistent with an improvement of approximately ten equivalent divisions, on the one hand, and no force improvements (beyond normal modernization) and a unilateral withdrawal of approximately 25 Pact equivalent divisions, on the other hand. Between these two extremes, it is possible to put together intermediate solutions that contain some of both, but we have not explicitly done that at this stage in our study. We intend to continue the analysis along the lines you suggest.

[Whereupon, at 11:13 a.m., the hearing adjourned, subject to the call of the Chair.]

NATO DEFENSE AND THE INF TREATY

MONDAY, FEBRUARY 22, 1988

U.S. Senate,
Committee on Armed Services,
Washington, DC.

INF TREATY

The committee met, pursuant to notice, at 2:33 p.m., in room SR-222, Russell Senate Office Building, Senator Sam Nunn (chairman) presiding.

Present: Senators Nunn, Exon, Levin, Glenn, Warner, Cohen, Quayle, Symms, and McCain.

Staff present: Arnold L. Punaro, staff director; Carl M. Smith, staff director for the minority; Jeffrey H. Smith, general counsel; Patrick A. Tucker, minority counsel; and Andrew S. Effron, counsel; Robert G. Bell, Robert F. Bott, Brian D. Dailey, Richard D. Finn, Jr., Sherri Wasserman Goodman, Ronald P. Kelly, James R. Locher III, Norman G. Mosher and Mark B. Robinson; professional staff members; Colleen Getz, research assistant; Lucia M. Chavez and Pamela G. Powell, staff assistants.

Also present: Jeffrey B. Subko, assistant to Senator Exon; Gregory J. Weaver, assistant to Senator Levin; Donald A. Mitchell, assistant to Senator Glenn; Robert K. Griffith, assistant to Senator Wirth; Richard Roberts and Terrence Lynch, assistants to Senator Shelby; William J. Wight, assistant to Senator Warner; Robert P. Savitt, assistant to Senator Cohen; Henry D. Sokolski, assistant to Senator Quayle; Mark J. Albrecht, assistant to Senator Wilson; Alan Ptak, assistant to Senator Gramm; and Anthony H. Cordesman, assistant to Senator McCain.

OPENING STATEMENT BY SENATOR SAM NUNN, CHAIRMAN

Chairman Nunn. The committee will come to order.

This afternoon the committee begins the second phase of its hearings on the NATO Defense and the INF Treaty. After several weeks of reviewing adjustments which may be necessary in NATO strategy, force posture and also arms control policy in the post-INF environment, we now focus more specifically on the treaty itself.

On February 9, Senator Byrd and I received a letter from Secretary Shultz which bears directly on the ground rules under which we will conduct this phase of our hearings. I would ask unanimous consent to insert that letter in the record of this hearing, along with related correspondence.

Without obligation, it will be so inserted.

[The information referred to follows:]

U.S. Senate,
Committee on Armed Services,
Washington, DC, September 1, 1987.

The President,
The White House,
Washington, DC.

Dear Mr. President: In view of the recent progress toward completion of an INF treaty, the Senate and the Administration should now consider some of the major procedural issues that bear on a possible INF ratification debate early next year so as to preclude any delays.

As you know, I have expressed my deep concern about the novel doctrine which has been articulated by the State Department Legal Adviser, Abraham D. Sofaer, concerning the constitutional role of the United States Senate in the ratification of treaties. The Sofaer doctrine has been advanced in the context of the Administration's effort to reinterpret the ABM Treaty, but it has serious implications for the Senate's conduct of ratification proceedings for all future treaties, including a possible INF treaty.

The basic premise of the new doctrine, as articulated in Judge Sofaer's March 26, 1987 testimony before the Senate Foreign Relations and Judiciary Committees, is that: "When it [the Senate] gives its advice and consent to a treaty, it is to the treaty that was made, irrespective of the explanations it is provided." In effect, the Sofaer doctrine holds that if the Senate is misinformed by Executive Branch officials as to the meaning of a proposed treaty, that is simply too bad. Judge Sofaer has put the Senate on notice that if Congress relies upon the testimony of your Administration as to the meaning of an INF treaty, it will be at its own risk.

In Judge Sofaer's view, the Senate must look to the negotiating record of a treaty for the ultimate authority in determining the meaning of the text of that accord. Indeed, Judge Sofaer, in his May 11, 1987 study, noted that two Senators requested the negotiating record in 1972 but they did not press their case after Secretary Rogers replied that the Senate had no need for the record. Judge Sofaer asserts, however, that "[t]he negotiating record or a discussion of it would have revealed to the Senate that the Soviets had not agreed to block the development and testing of mobile OPP 'devices' ". In other words, Judge Sofaer takes the position that had the Senate secured the negotiating record, it would have discovered that the version of the ABM Treaty described to the Senate by the Nixon Administration allegedly did not comport with the actual intentions of the Soviet Union.

In summary, the Sofaer doctrine, if it is indeed the position of the Reagan Administration, says to the Senate in the case of the INF treaty:

(1) We cannot rely on the testimony of Executive Branch officials as to the meaning of the treaty.

(2) We must study the negotiating record itself to understand the binding obligations of the parties to the treaty.

(3) We must adopt understandings, amendments, or reservations to the treaty to ensure that future administrations will adhere to interpretations advanced by Reagan Administration officials during the ratification process; and that in the absence of such action, the Senate may be deemed by future administrations not to have fully understood the INF treaty in the process of giving its advice and consent.

I do not concur in the Sofaer doctrine, but until this matter is resolved, I believe that the Senate has no recourse but to insist on obtaining all executive branch documents related to negotiation of the INF treaty, including documents regarding any other negotiations or high-level discussions at which mutual understandings were reached bearing on this agreement.

I find this situation deplorable and hope that the Senate will not have to follow this course of action. I would much prefer that we return to a method of conducting treaty ratification proceedings wherein the Senate can confidently rely upon the representations of executive branch officials. This approach served the Nation well for 200 years and I believe it can continue to do so. However, unless the Sofaer doctrine is either abandoned or significantly modified, we have no choice: a reasonably prudent Senate must obtain the entire INF negotiating record if it is not to be derelict in exercising its constitutional responsibility to determine whether a treaty should be approved as submitted or whether there should be amendments, reservations, or understandings.

It is not my intention to delay consideration of the INF treaty, but the Senate will have to review the six-year long INF negotiating record very carefully, and that will obviously be time-consuming. Since the negotiating record would be the focus of the Senate ratification debate, I also see no alternative to appropriate declassification and public access.

To minimize any delay, I recommend that you take the following steps:

First, instruct the U.S. Nuclear and Space Talks Delegation and the relevant Executive Branch agencies to begin at once to compile complete and comprehensive copies of the negotiating record for submission to the Senate;

Second, begin submitting portions of the INF negotiating record now—without waiting for completion of the remaining points in dispute if you desire to expedite Senate consideration of the treaty;

Third, initiate the process of declassifying the documents in the negotiating record.

When the Senate reconvenes next week, I intend to consult with Senator Byrd and Senator Pell about the procedures to be used for submission of the negotiating documents to the Senate in the event that the Sofaer doctrine remains in effect during consideration of the INF treaty.

I appreciate your consideration of these issues.

Sincerely,

SAM NUNN.

THE SECRETARY OF STATE,
Washington, DC, February 5, 1988.

Hon. ROBERT BYRD,
U.S. Senate.

DEAR SENATOR BYRD: I am writing in response to letters by yourself and Senators Nunn, Pell, and Stevens, and by Senator Wilson and a group of fifteen Senators concerning the question of Senate access to the negotiating record for the INF Treaty. I am gratified that we have now reached an understanding on the way in which the Senate and Administration will proceed in this regard.

I believe that the INF Treaty text is a clear and accurate statement of the obligations of the United States and the Soviet Union. In accordance with international law, we should of course, look first to this text to answer any question about the meaning of these obligations. But I also recognize that the Senate, in discharging its important Constitutional role of considering advice and consent to ratification, may wish to review the negotiating record.

Therefore, we are pleased to provide the Senate access to materials upon which treaty interpretation is based. These include records of the INF negotiations conducted in the Geneva Nuclear and Space Talks, and in ministerial and summit meetings. We will provide access to cables and memoranda of conversation reporting discussions with the Soviets in Geneva, all Joint Draft Texts, U.S. and Soviet prepared texts exchanged at plenaries and other working meetings, and all other documents exchanged between the parties. We cannot provide internal Executive Branch deliberative material that was not provided to the Soviets because such material does not reflect mutual intent of the parties, and therefore, cannot be used as a basis for interpretation of obligations.

The documents we will provide are classified and sensitive. Their disclosure could jeopardize current arms control negotiations with the Soviet Union. Therefore, I am pleased that we have agreed on ground rules for Senate access which will suit our purposes and yours. The attached Terms of Access is a simple, one page agreement on procedures for access, custody, storage appropriate to the classification of the documents, and their eventual return to the State Department. With this understanding we are prepared to deliver the INF negotiating record to the Senate immediately.

Of course, we remain prepared to respond to any further questions by the Senate as to the content and effect of the INF Treaty negotiating record on particular issues of interest. Our responses will give a full, comprehensive and authoritative account.

I believe that our understanding will make it possible for the Senate to proceed expeditiously with its consideration of the INF Treaty. I understand that the Chairmen and Ranking Members of the Committees on Foreign Relations and Armed Services; the Senate Select Committee on Intelligence and Senator Dole agree with this understanding. I am sure we will be able to resolve any further questions that may arise in a spirit of cooperation and accommodation, and I look forward to working with you on the INF Treaty in the coming weeks.

Sincerely yours,

GEORGE P. SHULTZ.

Attachment: Terms of Access.

TERMS OF ACCESS TO INF NEGOTIATING RECORDS

The Administration has agreed to make available to the United States Senate records of the negotiations with the Soviet Union on the INF Treaty. Since these documents are the property of the Executive branch and involve classified and sensitive information, they will be made available only at the secure facility at Room 901, Hart Senate Office Building—the Senate Arms Control Treaty Review Support Office (Support Office). Only Senators, designated staff members, employees of the Support Office and designated members of the Executive branch shall be permitted to enter this secure location. The names of the designated staff members and Support Office employees shall be provided, in writing, to the Department of State prior to their being given access to the document; and the names of the Executive branch officials shall be provided, in writing, to the Senate. A record of all persons entering and exiting the secure location shall be maintained.

Access to these documents will be limited to Senators and 30 designated staff members. The Chairman of the Senate Foreign Relations Committee, the Senate Armed Services Committee and the Senate Select Committee on Intelligence will each designate 6 staff members (3 from each party as agreed to by the Ranking Minority Member) and the Majority Leader and the Republican Leader will each designate 6 staff members. Employees of the Support Office shall have access for administrative purposes; their number shall be kept to a reasonable minimum. Such employees and the designated staff members must have all necessary security clearances.

These documents may be reviewed at the secure location only; no copies may be made and retained (working copies may be made for the convenience of the Senators and staff but shall be accounted for and destroyed; they shall not be removed); and no documents may be removed. Any notes derived from classified materials shall be treated as classified and classified documents shall not be referenced in open session.

Within 30 days of the Senate's final vote on advice and consent to ratification of the INF Treaty, or adjournment sine die of the 100th Congress, whichever occurs first, the documents will be returned to the Department of State.

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, February 5, 1988.

Hon. GEORGE P. SHULTZ,
Secretary of State,
Department of State, Washington, DC.

DEAR MR. SECRETARY: We have received your letter outlining the agreement between the Senate and the Administration on Senate access to the INF negotiating record. We are pleased that we have been able to reach agreement on this matter and look forward to your delivery of the documents identified in the letter. In particular, we welcome your recognition that internal, executive branch deliberative material "cannot be used as a basis for interpretation of obligations" and therefore need not be submitted to the Senate.

This agreement removes one obstacle to prompt consideration by the Senate of the INF Treaty. We deeply regret, however, that your letter is silent with regard to the three key principles we have been discussing over the last two months concerning the relationship between the Senate and the Executive Branch as treaty-making partners. Our agreement on the negotiating record can only be truly effective if it is accompanied by an agreement on these three principles:

(1) The testimony of all Executive Branch witnesses and any submissions for the hearing record by the Executive Branch on a Treaty can be regarded by the Senate as authoritative.

(2) The meaning of the Treaty as presented to the Senate can be regarded by the Senate as authoritative without the necessity of the Senate's incorporating that testimony and material in its Resolution of Ratification through understandings, reservations, amendments, or other conditions.

(3) A meaning for the treaty different from that presented to the Senate by the Reagan Administration cannot be adopted without the approval of the Senate.

As you know, our concerns stem from statements made on this subject by Judge Sofaer, the State Department's Legal Adviser, over the last two years. For example, in response to a question asked by Senator Nunn during a November 21, 1985 Armed Services Committee hearing, Judge Sofaer stated: "The Senate held extensive hearings to develop a detailed understanding and assessment of the two SALT I agreements. Although this process may have helped to answer questions in particular Senators' minds, it could not result in authoritative clarifications of any ambiguities in the Treaty, because statements made during the hearings were unilateral."

Judge Sofaer has suggested that the testimony of some top Nixon Administration witnesses, including Secretary of Defense Laird and the Director of Defense Research and Engineering, Dr. John Foster, was not authoritative. Moreover, on March 26, 1987, Judge Sofaer told the Senate Foreign Relations and Judiciary Committees: "When it [the Senate] gives its advice and consent to a treaty, it is to the treaty that was made, irrespective of explanations it is provided."

Under this doctrine, if the Senate is misinformed by Executive Branch officials as to the meaning of a treaty, that is simply too bad. Unless modified, Judge Sofaer's views put the Senate on notice that if it relies upon the testimony of the Administration as to the meaning of the INF Treaty, it will do so at its own risk.

Since you have not assured us that the meaning of the Treaty as presented to the Senate by Administration witnesses is authoritative and that such meaning will be respected in the future even if the Senate has not embodied its understanding of the Treaty in the Resolution of Ratification, we must assume that we will have to review the negotiating record exhaustively, compare it to all Executive Branch testimony, and prepare understandings, reservations or amendments addressing every point of interpretation in the Treaty. At best, such an approach would be unwieldy and time consuming. At worst, it could undermine the treaty ratification process.

Based on our meeting last Monday, we were of the opinion that we were close to reaching a satisfactory resolution through a letter from you addressing the three principles. It is most unfortunate, therefore, that you have apparently changed your mind and do not intend to provide us with such a letter.

The Armed Services Committee had intended to conduct hearings on the Treaty with Administration witnesses over the several weeks and complete its hearings by the end of the month. This plan was based on the expectation that the testimony of Executive Branch witnesses on the Treaty would be in accord with the three principles. However, the Armed Services Committee now has no choice but to clarify the Reagan Administration's position on these questions before hearing from other Administration witnesses. We regret the inevitable delay this will cause.

In an effort to resolve this impasse and avoid undue delay in hearing the Administration's testimony on the Treaty, Senator Nunn hereby requests that you appear before the Armed Services Committee as soon as possible after the February recess.

We hope that we can quickly get these serious questions behind us.

Sincerely,

SAM NUNN.
ROBERT C. BYRD.

THE SECRETARY OF STATE,
Washington, DC, February 9, 1988.

Hon. SAM NUNN,
U.S. Senate,
Washington, DC.

DEAR SENATOR NUNN: I am responding to your letter of February 5 concerning the INF Treaty. I am pleased that we have resolved the question of Senate access to the INF negotiating record. I believe that we can also resolve the remaining questions posed by your letter in a manner that accommodates the interests of all concerned and serves the national interest.

Your letter asks for our agreement on three points. Your first point is that the testimony of all Executive Branch witnesses and any submissions for the hearing record by the Executive Branch on the Treaty can be regarded by the Senate as authoritative. We agree. All INF testimony of Executive Branch witnesses, within their authorized scope, is authoritative. We will inform the relevant Committee of any instance in which a witness' testimony is not authoritative in any respect.

Your second point is that the meaning of the Treaty as presented to the Senate can be regarded by the Senate as authoritative without the necessity of the Senate's incorporating that testimony and material in its Resolution of Ratification through understandings, reservations, amendments, or other conditions. Again, we agree. Administration testimony and materials for the record can be regarded as authoritative, as described above, without the need for the Senate to incorporate them in its Resolution of Ratification.

Your third point is that a meaning for the Treaty different from that presented to the Senate by the Reagan Administration cannot be adopted without the approval of the Senate. I can assure you that the Reagan Administration will in no way depart from the INF Treaty as we are presenting it to the Senate.

I hope that this letter will help us resolve these important questions.

Sincerely yours,

GEORGE P. SHULTZ.

Chairman NUNN. In his February 9 letter, Secretary Shultz provided three important assurances with regard to the Senate's constitutional role in treaty making:

First [reading from that letter]: "All INF testimony of executive branch witnesses, within their authorized scope, is authoritative. We will inform the relevant committee of any instance in which a witness' testimony is not authoritative in any respect."

Second [quoting]: "Administration testimony and materials for the record can be regarded as authoritative, as described above, without the need for the Senate to incorporate them in its Resolution of Ratification."

Third [again quoting]: "The Reagan administration will in no way depart from the INF Treaty as we are presenting it to the Senate."

What these assurances mean is that the committee can now proceed with detailed testimony on the treaty, confident that the treaty the Senate is being asked to approve is in fact the same treaty that will be respected by the executive branch now and in the future.

The three principles which Secretary Shultz accepts in his letter were not created out of the whole cloth. Rather, they flow from the U.S. Constitution. As far as I know, there is only one U.S. Constitution. There is not one Constitution for the INF Treaty and another for other treaties. I do not, therefore, agree with those who would argue that Secretary Shultz' letter pertains only to the INF Treaty and has no bearing on the administration's responsibility with regard to past or future treaties.

I am pleased that the Secretary's letter enabled us to resume our hearings with witnesses from the administration without any delay. This afternoon, the committee will receive testimony from Chief INF Negotiator Maynard Glitman. We will resume again with Ambassador Glitman at 9 o'clock a.m. tomorrow and I expect an afternoon session will be required. Additional sessions with Ambassador Glitman may be required after Senators and designated staff have had an opportunity to review the INF negotiating record pursuant to the access agreement reached between Secretary Shultz and the leadership. The Senate's Treaty Review Office has been logging in and indexing the 31 volumes of documents and that record is finally available for review starting today.

As Senator Warner and I stated in our letter to our committee colleagues last week, we believe the Armed Services Committee should establish a comprehensive and authoritative record of the meaning of the treaty. Accordingly, we intend to conduct the hearings with Ambassador Glitman by proceeding through the text on an article-by-article basis. This will help avoid duplicative questions by different members and minimize the chances of leaving gaps in our review of the treaty text.

Senator Warner and I will have to administer this overall procedural rule with some degree of flexibility because members from time to time will not be able to be here when the articles are being reviewed.

Last week, we provided Ambassador Glitman with a list of 135 questions prepared by the committee staff concerning possible ambiguities or points of interpretation in the treaty. These are not frivolous questions; they are serious questions which deserve serious answers. It may well be that there are ready answers to each. I hope so. But I believe that even a quick reading of these questions underscores the need to be sure we can pin down precise understandings as to the meaning of the provisions in the treaty. This does not include any questions relating to the negotiating record because that review has not started.

Every member has been given a work book containing a side-by-side comparison of the provisions of the treaty, the executive branch's article-by-article analysis, and the questions prepared by our staffs. We intend to go through as many of these questions as possible today and tomorrow and then submit the balance for the record.

I would then like to get from you, Ambassador Glitman, your assessment of when those can be furnished and submitted for the record.

Senator Warner and I recognize that members will obviously have questions of their own regarding both the meaning and the advisability of various provisions in the treaty. We also understand that members' schedules may require some flexibility in this procedure. However, we hope that you can adhere to the fullest extent possible to our plan to review the provisions of the treaty in series, using this procedure.

Ambassador Glitman, I thank you for your patience and welcome you before the committee. At the outset, I want to emphasize that however tedious, protracted or difficult these proceedings may seem, we are guided by a common goal: to ensure that the treaty that has been presented to the Senate for its advice and consent is both fully understood and fully supportive of our national security interests.

From our trips to Geneva with the Senate Arms Control Observer Group, we know how hard you and your team worked on this treaty. Your hours were long and your patience was often tested. In the end you prevailed and faithfully executed your negotiating instructions as given to you by the President. You did your duty and you did it well. Now is the time for us to do ours with your help.

As the long journey traveled by this treaty now enters the final phase, I would ask all of you to recall Winston Churchill's famous observations to the House of Commons in 1947 when he said, "Many forms of government have been tried and will be tried in this world of sin and woe. No one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of government except all those other forms that have been tried from time to time."

So we will have to keep that in mind as we go through this tedious journey.

Senator Warner.

Senator **Warner**. Thank you, Mr. Chairman. I certainly join you in recognizing this distinguished public servant for his contribution not only to the treaty but to the overall arms control process which is an ongoing one from administration to administration.

It appears that the Senate is proceeding in a very careful, but I would say, favorable way thus far in examining the treaty.

Mr. Chairman, I listened carefully to your opening statement, and I wonder if I might just put a slightly different characterization on the letter of transmittal, and I ask unanimous consent that the letter of transmittal of February 17 that you and I prepared jointly to Secretary Shultz be included in the record.

Chairman **Nunn**. Without objection.

[The information follows:]

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, February 17, 1988.

Hon. GEORGE P. SHULTZ,
Secretary of State,
Department of State, Washington, DC.

DEAR MR. SECRETARY: As Senator Nunn discussed with Max Kampelman this morning, enclosed is a list of questions relating to interpretation of the INF treaty prepared by the Majority and Minority staff of this Committee at our direction.

We are providing them so that Ambassador Glitman will be prepared for our hearings which are scheduled for Monday and Tuesday of next week, February 22nd and 23rd. It is our intention to proceed through the treaty article by article, beginning with the Preamble.

Although many of these questions may be addressed in the hearings, we believe that they should also be answered in writing for the record. This process will ensure that ambiguities and other questions of interpretation which the staff has thus far identified in the treaty will be clarified.

Thank you for your cooperation. We hope that as many as possible of these questions can be answered prior to the hearing on Monday.

Sincerely,

JOHN W. WARNER,
Ranking Minority Member.
SAM NUNN,
Chairman.

Enclosure.

Treaty
Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles

Treaty	Executive Branch Article-By-Article Analysis	Questions
The United States of America and the Union of Soviet Socialist Republics, hereinafter referred to as the Parties, Conscious that nuclear war would have devastating consequences for all mankind, Guided by the objective of strengthening strategic stability, Convinced that the measures set forth in this Treaty will help to reduce the risk of outbreak of war and strengthen international peace and security, and Mindful of their obligations under Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, Have agreed as follows:	THE PREAMBLE The Preamble identifies the United States and the Soviet Union as the Parties to the treaty and contains four paragraphs that set forth the general goals and objectives that the United States and the Soviet Union have agreed are advanced by the elimination of their intermediate-range and shorter-range missile systems. The first paragraph recognizes that nuclear war would have devastating consequences for all mankind. The second paragraph notes that the Parties are guided by the objective of strengthening strategic stability. The third paragraph states the Parties' conviction that the measures set forth in the Treaty will help to reduce the risk of outbreak of war and strengthen international peace and security. The fourth paragraph acknowledges the obligations of the Parties set forth in Article VI of the Non-Proliferation Treaty.[1]	
Article I In accordance with the provisions of this Treaty which includes the Memorandum of Understanding and Protocols which form an integral part thereof, each Party shall eliminate its intermediate-range and shorter-range missiles, not have such systems thereafter, and carry out the other obligations set forth in this Treaty.	ARTICLE I—BASIC OBLIGATIONS Article I sets forth the basic obligations of the Parties to eliminate their intermediate-range and shorter-range missile systems in accordance with the Treaty's provisions, not to have such systems after their elimination, and to carry out the other obligations set forth in the Treaty. This Article also establishes that the MOU and the Protocols on Elimination and Inspection are integral parts of the Treaty.	ARTICLE I 1. Why is the word "systems" (which is not defined in the Treaty) used in this Article, instead of the word "missiles"? Does this Article impose any obligation beyond the other terms of the treaty? What "systems" may the Parties no longer possess after elimination of their "intermediate range and shorter-range missiles"?

---

[1] Treaty on the Non-Proliferation of Nuclear Weapons (the NPT), done at London, Moscow and Washington, July 1, 1968, 21 UST 483, TIAS 6839. The United States and the Soviet Union are both parties to the NPT.

Treaty	Executive Branch Article-By-Article Analysis	Questions
Article II For the purposes of this Treaty: 1. The term "ballistic missile" means a missile that has a ballistic trajectory over most of its flight path. The term "ground-launched ballistic missile (GLBM)" means a ground-launched ballistic missile that is a weapon-delivery vehicle.	ARTICLE II—DEFINITIONS Article II sets forth the definitions of terms used in the Treaty. Definitions are provided for the following terms: (1) ballistic missile and ground-launched ballistic missile (GLBM), (2) cruise missile and ground-launched cruise missile (GLCM), (3) GLBM launcher, (4) GLCM launcher, (5) intermediate-range missile, (6) shorter-range missile, (7) deployment area, (8) missile operating base, (9) missile support facility, (10) transit, (11) deployed missile, (12) non-deployed missile, (13) deployed launcher, (14) non-deployed launcher, and (15) basing country. Paragraph 1 of Article II defines a "ballistic missile" as a missile that has a ballistic trajectory over most of its flight path. In addition, "ground-launched ballistic missile (GLBM)" is defined as a ground-launched ballistic missile that is a weapon-delivery vehicle. There are three factors that determine whether a ballistic missile is subject to the Treaty. The first factor is whether the ballistic missile is ground-launched. The second factor is whether the ballistic missile is a weapon-delivery vehicle. The counting rule set forth in paragraph 1 of Article VII specifies that all ballistic missiles of a type that has been flight-tested or deployed for weapon-delivery are considered to be weapon-delivery vehicles. Thus, GLBMs are those types of ground-launched ballist missiles that have been flight-tested or deployed for weapon-delivery, i.e., flight-tested or deployed with any type of warhead device or simulation thereof. The third factor is whether the ballistic missile has a range equal to or greater than 500 kilometers but not greater than 5500 kilometers. Paragraph 4 of Article VII sets forth the criteria for establishing the range capability of intermediate-range and shorter-range GLBMs. The technical data for each existing type of GLBM subject to the Treaty are listed in Section VI of the MOU.	ARTICLE II Paragraph 1 2. Is a ground-launched ballistic missile (GLBM) that has been flight tested on one occasion to a range in excess of 5500 kilometers exempted from the Treaty, regardless of the number of occasions it has been tested at INF range (i.e., between 500 and 5500 kilometers)? 3. Does the definition of a "ballistic missile" as "a missile that has a ballistic trajectory over most of its flight path" apply to hypersonic boost glide vehicles? 4. If so, does the Treaty require that the parties "not have" and/or ban the flight testing, production, or deployment of a nuclear and/or conventional weapon-delivery hypersonic boost glide vehicle of INF range?
2. The term "cruise missile" means an unmanned, self-propelled vehicle that sustains flight through the use of aerodynamic lift over most of its flight path. The term "ground-launched cruise missile (GLCM)" means a ground-launched cruise missile that is a weapon-delivery vehicle.	Paragraph 2 of Article II defines a "cruise missile" as a missile that is an unmanned, self-propelled vehicle that sustains flight through the use of aerodynamic lift over most of its flight path. In addition, a "ground-launched cruise missile (GLCM)" is defined as a ground-launched missile that is a weapon-delivery vehicle. There are three factors that determine whether a cruise missile is subject to the Treaty. The first factor is whether the cruise missile is ground-launched. The second factor is whether the cruise missile is a weapon-delivery vehicle. The counting rule set forth in paragraph 1 of Article VII specifies that all cruise missiles of a type that has been flight-tested or deployed for weapon-delivery are considered to be weapon-delivery vehicles. Thus, GLCMs are those types of ground-launched cruise missiles that have been flight-tested or deployed for weapon-delivery, i.e., flight-tested or deployed with any type of warhead device or simulation thereof. The third factor is whether the cruise missile has a range equal to or greater than 500 kilometers but not greater than 5500 kilometers. Paragraph 4 of Article VII sets forth the criteria for establishing the range capability for intermediate-range and shorter-range GLCMs. The technical data for each existing type of GLCM subject to the Treaty are listed in Section VI of the MOU.	Paragraph 2 5. Does the definition of a "cruise missile" as "an unmanned, self-propelled vehicle that sustains flight through the use of aerodynamic lift over most of its flight path" include remotely piloted vehicles (RPVs) or any other unmanned drones which closely resemble aircraft? 6. If so, does this paragraph apply to RPVs or other unmanned drones of INF range if those vehicles have been flight-tested or deployed as weapon-delivery vehicles? 7. Does this definition apply to a hypersonic boost glide vehicle? 8. If so, does the Treaty require that the parties "not have" and/or ban the flight testing, production, or deployment of a nuclear and/or conventional weapon-delivery hypersonic boost glide vehicle of INF range? 9. Is a ground-launched cruise missile (GLCM) of INF range which is outwardly similar to a GLCM type that has been flight tested or deployed as a weapon-delivery vehicle but which either Party claims is configured for missions other than weapon-delivery (e.g., photo reconnaissance, electronics monitoring or electronics jamming) covered under this paragraph? If not, are the parties permitted to "have" such a vehicle which can be readily reconfigured as a weapon delivery vehicle? 10. Can either Party flight test and deploy a cruise missile of INF range if it claims that the missile has only been flight tested and deployed for non weapon-delivery missions such as those listed above?

-3

Treaty	Executive Branch Article-By-Article Analysis	Questions
3. The term "GLBM launcher" means a fixed launcher or a mobile land-based transporter-erector-launcher mechanism for launching a GLBM.	Paragraph 3 of Article II defines a "GLBM launcher" as either a fixed launcher (i.e., non-mobile) or a mobile land-based transporter-erector-launcher mechanism for launching a GLBM. Paragraph 7 of Article VII further states that if a launcher has been tested for launching a GLBM, then all launchers of that type shall be considered to have been tested for launching GLBMs. Paragraph 8 of Article VII specifies that if a launcher has contained or launched a particular type of GLBM, then all launchers of that type shall be considered to be launchers of that type of GLBM. The technical data for each type of GLBM launcher subject to the Treaty are listed in Section VI of the MOU.	**Paragraph 3** 11. If a fixed launcher or a mobile transporter-erector-launcher (TEL) has been used to launch an ICBM (i.e., a GLBM with range greater than 5500 km.), but not to launch a GLBM of INF range, is that launcher permitted under the Treaty even if it is outwardly similar to a launcher or TEL for GLBMs of INF range that is covered under the Treaty? Is it permitted if it is identical to a launcher or TEL that is covered under the Treaty?
4. The term "GLCM launcher" means a fixed launcher or a mobile land-based transporter-erector-launcher mechanism for launching a GLCM.	Paragraph 4 of Article II defines a "GLCM launcher" as either a fixed launcher (i.e., non-mobile) or a mobile land-based transporter-erector-launcher mechanism for launching a GLCM. Paragraph 7 of Article VII further states that if a launcher has been tested for launching a GLCM, then all launchers of that type shall be considered to have been tested for launching GLCMs. Paragraph 8 of Article VII specifies that if a launcher has contained or launched a particular type of GLCM, then all launchers of that type shall be considered to be launchers of that type of GLCM. The technical data for each type of GLCM launcher subject to the Treaty are listed in Section VI of the MOU.	**Paragraph 4** 12. If a fixed launcher or a mobile land-based TEL has been used to flight test sea-launched or air-launched cruise missiles of INF range but has never been used to flight test GLCMs of INF range, is that launcher or TEL a "GLCM launcher" or is it otherwise covered by the Treaty? 13. If a fixed launcher or a mobile land-based TEL is used to flight test GLCMs of less than or greater than INF range, is that launcher or TVL covered by the Treaty? 14. If so, is this the case even if the launcher or TVL is outwardly similar to a GLCM launcher? If it is identical?
5. The term "intermediate-range missile" means a GLBM or a GLCM having a range capability in excess of 1000 kilometers but not in excess of 5500 kilometers.	Paragraph 5 of Article II defines an "intermediate-range missile" as a GLBM or a GLCM having a range capability in excess of 1000 kilometers but not in excess of 5500 kilometers. The existing types of intermediate-range missiles are specified in paragraph 1 of Article III. Their numbers, locations, and characteristics are listed in Sections II, III, and VI, respectively, of the MOU. The criteria for determining the range capability of intermediate-range GLBMs and GLCMs that are not specified as existing types are described in paragraph 4 of Article VII.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
6. The term "shorter-range missile" means a GLBM or a GLCM having a range capability equal to or in excess of 500 kilometers but not in excess of 1000 kilometers.	Paragraph 6 of Article II defines a "shorter-range missile" as a GLBM or a GLCM having a range capability equal to or in excess of 500 kilometers but not in excess of 1000 kilometers. The existing types of shorter-range missiles of the Parties are specified in paragraph 2 of Article III. Their numbers, locations, and characteristics are listed in Sections II, IV, and VI, respectively, of the MOU. Criteria for determining the range capability of shorter-range GLBMs and GLCMs that are not specified as existing types are described in paragraph 4 of Article VII of the Treaty.	
7. The term "deployment area" means a designated area within which intermediate-range missiles and launchers of such missiles may operate and within which one or more missile operating bases are located.	Paragraph 7 of Article II defines a "deployment area" as a designated area within which intermediate-range missiles, and launchers of such missiles, may operate and within which one or more missile operating based are located. All deployment areas of intermediate-range missiles contain, by definition, at least one missile operating base. Paragraph 5 of Article VIII requires that all deployment areas be specified in the MOU and that their locations or numbers cannot be changed, except as a result of their elimination as provided for in paragraph 8 of Article X. Each deployment area is described by name and boundaries in Section III of the MOU. Pursuant to paragraph 11 of Article II, an intermediate-range missile located within a deployment area is considered to be deployed. An intermediate-range missile located outside of a deployment area is considered to be a non-deployed missile in accordance with paragraph 12 of Article II. As provided in paragraphs 1 and 2 of Article VIII, intermediate-range missiles and their launchers, as well as stages of such missiles, must be located in deployment areas, be located at missile support facilities, or be in transit. Thus, an intermediate-range missile, stage of such a missile, or launcher of such a missile in any other location would be a violation of the Treaty. There are no "deployment areas" for shorter-range missiles; rather, such missiles are deployed only at missile operating bases in order to restrict them to much smaller geographical areas and thus further constrain their operational capability. This additional constraint works to the advantage of the United States since the Soviet Union has a monopoly on deployed shorter-range missiles.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
8 The term "missile operating base" means: (a) in the case of intermediate-range missiles, a complex of facilities located within a deployment area at which intermediate-range missiles and launchers of such missiles normally operate, in which support structures associated with such missiles and launchers are also located and in which support equipment associated with such missiles and launchers is normally located; and	Subparagraph 8(a) of Article II defines a "missile operating base," with respect to intermediate-range missiles, as a complex of facilities located within a deployment area: (a) at which intermediate-range missiles and their launchers normally operate, (b) in which support structures associated with such missiles and launchers are also located, and (c) in which support equipment associated with such missiles and launchers is normally located. Paragraph 5 of Article VIII requires that all missile operating bases be specified in the MOU and that their locations or numbers cannot be changed, except as a result of their elimination as provided for in paragraph 8 of Article X. The location of each intermediate-range missile operating base is provided, along with its center coordinates, in Section III of the MOU. A site diagram of each such missile operating based is appended to the MOU. A missile operating base contains the support structures and support equipment necessary to operate intermediate-range missiles. Definitions of the term "support equipment" and "support structure" are provided in paragraphs 10 and 11, respectively, of Section I of the MOU. In addition, since all missile operating bases for intermediate-range missiles located at missile operating bases are counted as deployed missiles in accordance with paragraph 11 of Article II.	Paragraph 8 15. What is the meaning of the word "normally"? Has any quantitative value been established for this word, e.g., "more than 50% of the time"? 16. Are "missile operating bases" at which INF missiles and launchers have operated, but at which such missiles and launchers do not "normally" operate, exempted from coverage under this definition? How about facilities at which missiles "normally" operate but at which support equipment is not "normally" located? How about the reverse?

Treaty	Executive Branch Article-By-Article Analysis	Questions
(b) in the case of shorter-range missiles, a complex of facilities located any place at which shorter-range missiles and launchers of such missiles normally operate and in which support equipment associated with such missiles and launchers is normally located.	Subparagraph 8(b) of Article II defines a "missile operating base," with respect to shorter-range missiles, as a complex of facilities located at any place: (a) at which shorter-range missiles and their launchers normally operate, and (b) in which support equipment associated with such missiles and launchers is normally located. The location of each shorter-range "missile operating base" is provided, along with its center coordinates, in Section IV of the MOU. A site diagram of each such missile operating base is appended to the MOU. A missile operating base contains the support equipment necessary to operate shorter-range missiles. The definition of the term "support equipment" is provided in paragraph 10 of Section I of the MOU. Since there are no deployment areas for shorter-range missiles, deployed shorter-range missiles are considered to be those shorter-range missiles located at missile operating bases. Paragraph 3 of Article VIII specifies that shorter-range missiles and their launchers may only be located at missile operating bases, be located at missile support facilities, or be in transit from such locations to elimination facilities. A shorter-range missile or launcher in any other location would be a violation of the Treaty.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
9. The term "missile support facility," as regards intermediate-range or shorter-range missiles and launchers of such missiles, means a missile production facility or a launcher production facility, a missile repair facility or a launcher repair facility, a training facility, a missile storage facility or a launcher storage facility, a test range, or an elimination facility as those terms are defined in the Memorandum of Understanding.	Paragraph 9 of Article II defines a "missile support facility" as a missile production facility, a launcher production facility, a missile repair facility, a launcher repair facility, a training facility, a missile storage facility, a launcher storage facility, a test range, or an elimination facility. These terms are defined in Section I of the MOU. Paragraph 5 of Article VIII requires that all missile support facilities be specified in the MOU and that their locations, except for elimination facilities, cannot be changed, except as a result of their elimination as provided for in paragraph 8 of Article X. The location of each such facility and its center coordinates are specified in Sections III, IV, and V of the MOU. A site diagram of each agreed missile support facility is appended to the MOU. Intermediate-range missiles and their launchers, as well as shorter-range missiles and their launchers, located at these facilities are considered to be non-deployed missiles and non-deployed launchers, respectively.	

8

Treaty	Executive Branch Article-By-Article Analysis	Questions
10. The term "transit" means movement, notified in accordance with paragraph 5(f) of Article IX of this Treaty, of an intermediate-range missile or a launcher of such a missile between missile support facilities, between such a facility and a deployment area or between deployment areas, or of a shorter-range missile or a launcher of such a missile from a missile support facility or missile operating base to an elimination facility.	Paragraph 10 of Article II defines "transit," with respect to an intermediate-range missile or a launcher of such a missile, as movement between: (a) missile support facilities, (b) a missile support facility and a deployment area, or (c) deployment areas. With respect to a shorter-range missile or a launcher of such a missile, "transit" is defined as movement from either a missile support facility or a missile operating base to an elimination facility. Thus, the only permitted movement of shorter-range missiles is to elimination facilities. Restrictions on the transit of shorter-range missiles complement the other measures that are intended to reduce as quickly as possible the Soviet advantage in the numbers of shorter-range missiles. Pursuant to paragraph 5(f) of Article IX, notifications of transits and information relating to the transit must be provided within 48 hours after the transit is completed. Such notifications will assist in determining whether there has been a violation if a missile is detected outside of deployment areas, missile operating bases, or missile support facilities. All transits must be completed within 25 days in accordance with paragraph 4 of Article VIII. Intermediate-range missiles and shorter-range missiles in transit are counted as non-deployed missiles.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
11. The term "deployed missile" means an intermediate-range missile located within a deployment area or a shorter-range missile located at a missile operating base.	Paragraph 11 of Article II defines a "deployed missile" as an intermediate-range missile that is located within a deployment area or a shorter-range missile that is located at a missile operating base. Article IV requires the reduction and elimination of deployed and non-deployed intermediate-range missiles. Article V requires the elimination of deployed and non-deployed shorter-range missiles.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
12. The term "non-deployed missile" means an intermediate-range missile located outside a deployment area or a shorter-range missile located outside a missile operating base.	Paragraph 12 of Article II defines a "non-deployed missile" as an intermediate-range missile located outside of a deployment area or a shorter-range missile located outside of a missile operating base. Paragraph 1 of Article VIII requires that an intermediate-range missile may only be located in deployment areas, be located at missile support facilities, or be in transit. Thus, an intermediate-range missile located at a missile support facility or in transit is considered to be "non-deployed." An intermediate-range missile that is neither deployed (i.e., in a deployment area) nor non-deployed (i.e., at a missile support facility or in transit) would be a violation of the Treaty. As noted above, paragraph 3 of Article VIII states that, until their removal to elimination facilities, shorter-range missiles may only be located at missile operating bases, be located at missile support facilities, or be in transit. A shorter-range missile located at a missile support facility or in transit is considered to be a non-deployed missile. A shorter-range missile that is neither deployed (i.e., at a missile operating base) nor non-deployed (i.e., at a missile support facility or in transit to an elimination facility) would be a violation of the Treaty.	**Paragraph 12** 17. Does the definition of "non-deployed missile" include operational intermediate range missiles located outside a deployment area or operational shorter-range missiles located outside a missile operating base, if those operational missiles have occasionally, but not "normally," been located at such areas or bases? If such missiles have "normally" been located at such areas or bases, but were not located there on November 1, 1987, are they considered "non-deployed missiles?"

Treaty	Executive Branch Article-By-Article Analysis	Questions
13. The term "deployed launcher" means a launcher of an intermediate-range missile located within a deployment area or a launcher of a shorter-range missile located at a missile operating base.	Paragraph 13 of Article II defines a "deployed launcher" as a launcher of an intermediate-range missile located within a deployment area or a launcher of a shorter-range missile located at a missile operating base. Deployed intermediate-range missile launchers are subject to the numerical restrictions and elimination requirements specified in Article IV. Deployed shorter-range missile launchers are subject to the elimination requirements specified in Article V.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
14. The term "non-deployed launcher" means a launcher of an intermediate-range missile located outside a deployment area or a launcher of a shorter-range missile located outside a missile operating base.	Paragraph 14 of Article II defines a "non-deployed launcher" as a launcher of an intermediate-range missile located outside of a deployment area or a launcher of a shorter-range missile located outside of a missile operating base. Thus, "non-deployed launcher" is a term based upon the location of a launcher for intermediate-range missiles or shorter-range missiles. Non-deployed intermediate-range missile launchers are those launchers located at missile support facilities or in transit. They are subject to the numerical restrictions and elimination requirements specified in Article IV. An intermediate-range missile launcher that is neither deployed (i.e., in a deployment area) nor non-deployed (i.e., at a missile support facility or in transit) would be a violation of the Treaty. Non-deployed shorter-range missile launchers are those located at missile support facilities or in transit. They are subject to the elimination requirements specified in Article V. A shorter-range missile launcher that is neither deployed (i.e., at a missile operating base) nor non-deployed (i.e., at a missile support facility or in transit to an elimination facility) would be a violation of the Treaty.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
15. The term "basing country" means a country other than the United States of America or the Union of Soviet Socialist Republics on whose territory intermediate-range or shorter-range missiles of the Parties, launchers of such missiles or support structures associated with such missiles and launchers were located at any time after November 1, 1987. Missiles or launchers in transit are not considered to be "located."	Paragraph 15 of Article II defines a "basing country" as a country, other than the United States of America or the Union of Soviet Socialist Republics, on whose territory U.S. or Soviet intermediate-range missiles or shorter-range missiles, launchers of such missiles, or support structures associated with intermediate-range missiles or their launchers, were located at any time after November 1, 1987. For the purposes of this definition, the term "located" does not include missiles or launchers in transit. The Basing Countries in which U.S. systems subject to the Treaty are located are Belgium, the Federal Republic of Germany, Italy, The Netherlands, and the United Kingdom. The Basing Countries in which Soviet missile systems subject to the Treaty are located are the German Democratic Republic and Czechoslovakia.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
Article III 1. For the purposes of this Treaty, existing types of intermediate-range missiles are: (a) for the United States of America, missiles of the types designated by the United States of America as the Pershing II and the BGM-109G, which are known to the Union of Soviet Socialist Republics by the same designations; and (b) for the Union of Soviet Socialist Republics, missiles of the types designated by the Union of Soviet Socialist Republics as the RSD-10, the R-12 and the R-14, which are known to the United States of America as the SS-20, the SS-4 and the SS-5, respectively.	ARTICLE III—EXISTING TYPES OF INTERMEDIATE-RANGE MISSILES AND SHORTER-RANGE MISSILES Paragraph 1 of Article III lists the existing types of intermediate-range missiles of both the United States and the Soviet Union. For the United States, the types of intermediate-range missiles listed as existing are the Pershing II ballistic missile and the GBM-109G cruise missile. For the Soviet Union, the existing types of intermediate-range missiles are the RSD-10 (SS-20) ballistic missile, the RS-12 (SS-4) ballistic missile, and the RS-14 (SS-5) ballistic missile. Pursuant to Article IV, all intermediate-range missiles of the Parties, along with their launchers, support equipment, and support structures, must be eliminated within three years after entry into force of the Treaty. In addition, paragraph 6 of Article X stipulates that intermediate-range missiles that have been tested prior to the entry into force of the Treaty, but were never deployed and are not listed as existing types in Article III, must be eliminated along with their launchers within six months after the entry into force of the Treaty. Pursuant to this provision, the Soviet Union must eliminate all of its RK-55 (SSC-X-4) intermediate-range cruise missiles and associated launchers. The detailed procedures for eliminating intermediate-range missiles, their launchers, and their associated support equipment and support structures are specified in paragraph 10 of Section II of the Protocol on Elimination.	ARTICLE III Paragraph 1 18. What is the meaning of the words "existing types"? Does this include all modifications of the "existing type", e.g., the SS-20 Mod 2? 19. If so, what is the difference between a modification to an "existing type" and a "new type"?

Treaty	Executive Branch Article-By-Article Analysis	Questions
2. For the purposes of this Treaty, existing types of shorter-range missiles are: (a) for the United States of America, missiles of the type designated by the United States of America as the Pershing IA, which is known to the Union of Soviet Socialist Republics by the same designation; and (b) for the Union of Soviet Socialist Republics, missiles of the types designated by the Union of Soviet Socialist Republics as the OTR-22 and the OTR-23, which are known to the United States of America as the SS-12 and the SS-23, respectively.	Paragraph 2 of Article III lists the existing types of shorter-range missiles of both the United States and the Soviet Union. For the United States, the type of shorter-range missile described as existing is the Pershing IA ballistic missile. For the Soviet Union, the existing types of shorter-range missiles are the OTR-22 (SS-12) ballistic missile and the OTR-23 (SS-23) ballistic missile. Pursuant to Article V, all of the existing types of shorter-range missiles of the Parties, along with their launchers and support equipment, must be eliminated within 18 months after entry into force of the Treaty. In addition, paragraph 6 of Article X stipulates that shorter-range missiles that have been tested prior to the entry into force of the Treaty, but were never deployed and are not listed as existing types in Article III, must be eliminated along with their launchers within six months after the entry into force of the Treaty. Pursuant to this provision, the United States must eliminate all of its Pershing IB shorter-range ballistic missiles and associated launchers. The detailed procedures for eliminating shorter-range missiles are specified in paragraph 10 of Section II of the Protocol on Elimination.	Paragraph 2 20. Since the Memorandum of Understanding (MOU) lists 84 Soviet SSCX-4 GLCMs and 6 SSCX-4 launchers as being located at a storage facility at Jelgava in the USSR, why is this missile not listed as an "existing type"?

Treaty	Executive Branch Article-By-Article Analysis	Questions
Article IV 1. Each Party shall eliminate all its intermediate-range missiles and launchers of such missiles, and all support structures and support equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers, so that no later than three years after entry into force of this Treaty and thereafter no such missiles, launchers, support structures or support equipment shall be possessed by either Party.	**ARTICLE IV—REDUCTION AND ELIMINATION OF INTERMEDIATE-RANGE MISSILES** Article IV sets forth the basic obligations for the reduction and eventual elimination of all intermediate-range missile systems. Paragraph 1 of Article IV requires the Parties to eliminate all intermediate-range missiles, as well as their launchers, support structures, and support equipment, within three years after entry into force of the Treaty. The types of items to be eliminated are listed in Section I of the Protocol on Elimination, while the numbers of such items as of November 1, 1987, are listed in Sections II and III of the MOU. After the three-year elimination period, such missiles, launchers, support structures, and support equipment may not be possessed by either Party. The procedures by which each type of missile, launcher, support structure, and support equipment must be eliminated are set forth in the Protocol on Elimination.	**ARTICLE IV** Paragraph 1 31. What parts of the intermediate-range missiles, launchers, support structures, and support equipment to be eliminated will remain after "elimination?" Does Article I prohibit the possession of these remains? Does Article XIV prohibit an undertaking to reconstitute these remaining parts into a "system" having INF range capability?

Treaty	Executive Branch Article-By-Article Analysis	Questions
2. To implement paragraph 1 of this Article, upon entry into force of this Treaty, both Parties shall begin and continue throughout the duration of each phase, the reduction of all types of their deployed and non-deployed intermediate-range missiles and deployed and non-deployed launchers of such missiles and support structures and support equipment associated with such missiles and launchers in accordance with the provisions of this Treaty. These reductions shall be implemented in two phases so that:	Paragraph 2 of Article IV provides that both deployed and non-deployed intermediate-range missiles, as well as their launchers, support structures, and support equipment, must be reduced and eliminated in two phases. It also provides that such elimination will occur throughout the duration of each phase, thus ensuring that the eliminations will not take place only in the final days of each elimination phase.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
(a) by the end of the first phase, that is, no later than 29 months after entry into force of this Treaty: (i) the number of deployed launchers of intermediate-range missiles for each Party shall not exceed the number of launchers that are capable of carrying or containing at one time missiles considered by the Parties to carry 171 warheads; (ii) the number of deployed intermediate-range missiles for each Party shall not exceed the number of such missiles considered by the Parties to carry 180 warheads; (iii) the aggregate number of deployed and non-deployed launchers of intermediate-range missiles for each Party shall not exceed the number of launchers that are capable of carrying or containing at one time missiles considered by the Parties to carry 200 warheads; (iv) the aggregate number of deployed and non-deployed intermediate-range missiles for each Party shall not exceed the number of such missiles considered by the Parties to carry 200 warheads; and (v) the ratio of the aggregate number of deployed and non-deployed intermediate-range GLBMs of existing types for each Party to the aggregate number of deployed and non-deployed intermediate-range missiles of existing types possessed by that Party shall not exceed the ratio of such intermediate-range GLBMs to such intermediate-range missiles for that Party as of November 1, 1987, as set forth in the Memorandum of Understanding; and	Subparagraph 2(a) provides that by the end of the first phase, which will be no later than 29 months after entry into force of the Treaty, each Party must have completed reductions so that: —the number of its deployed launchers of intermediate-range missiles does not exceed the number of such launchers capable of carrying or containing missiles considered to carry a total of 171 warheads. Since this limit only applies to deployed launchers, only those intermediate-range missile launchers located in deployment areas are affected; —the number of its deployed intermediate-range missiles does not exceed the number of such missiles considered by the Parties to carry a total of 180 warheads. Since this limit only applies to deployed intermediate-range missiles, only those missiles located in deployment areas are affected. The reason that 180 warheads on deployed missiles will be allowed, but only 171 warheads on deployed launchers, is so that a small number of extra missiles may be located in deployment areas for use as operational spares or for maintenance; —the aggregate number of its deployed and non-deployed launchers of intermediate-range missiles does not exceed the number that is considered by the Parties to carry a total of 200 warheads. This provision places an aggregate limit on the number of deployed and non-deployed intermediate-range missile launchers that are located in deployment areas, located at missile support facilities, and in transit. Thus, since intermediate-range missile launchers must be either deployed or non-deployed, all intermediate-range missile launchers are subject to reductions in the first phase; —the aggregate number of its deployed and non-deployed intermediate-range missiles does not exceed the number of such missiles considered by the Parties to carry a total of 200 warheads. This provision limits the aggregate number of deployed and non-deployed missiles to the number of missiles that are considered by the Parties to carry 200 warheads. Thus, there is a limit on the number of intermediate-range missiles that are located in deployment areas, at missile support facilities, and are in transit. Since intermediate-range missiles must be either deployed or non-deployed, all such missiles are thus subject to reductions in the first phase; and —the ratio of the total number of deployed and non-deployed intermediate-range GLBMS of existing types to the total number of intermediate-range missiles does not exceed the ratio that existed on November 1, 1987. This provision is intended to ensure proportional reductions of the types of intermediate-range missile systems possessed by each Party. Subparagraph 2(a) of Article IV requires that numerical limits for missiles and launchers be calculated using warhead numbers. To facilitate verification, the number of warheads actually deployed on each missile and launcher is not counted; rather, the number of warheads on missiles and launchers is derived by using the counting rules set forth in Article VII. For missiles, the counting rule in paragraph 6 of Article VII of the Treaty provides that the number of warheads a GLBM or GLCM of an existing type carries is the maximum number of warheads for that type specified in Section VI of the MOU. For launchers, paragraph 9 of Article VII provides that the number of missiles that each launcher of an existing type of intermediate-range missile or shorter-range missile is capable of carrying or containing is the number specified for launchers of missiles of that type in Section VI of the MOU. In sum, 29 months after the entry into force of the Treaty, each Party must not have more deployed intermediate-range launchers than the number considered to carry 171 warheads, not have more deployed intermediate-range missiles than the number considered to carry 180 warheads, not have more combined deployed and non-deployed intermediate-range launchers than the number considered to carry 200 warheads, and not have more combined deployed and non-deployed intermediate-range missiles than the number considered to carry 200 warheads.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
(b) by the end of the second phase, that is, no later than three years after entry into force of this Treaty, all intermediate-range missiles of each Party, launchers of such missiles and all support structures and support equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers, shall be eliminated	Subparagraph 2(b) of Article IV provides that, by the end of the second phase, which will be no later than three years after the entry into force of the Treaty, all intermediate-range missiles, their launchers, support structures, and support equipment of the categories listed in the MOU must be eliminated by the Parties	

Treaty	Executive Branch Article-By-Article Analysis	Questions
Article V 1. Each Party shall eliminate all its shorter-range missiles and launchers of such missiles, and all support equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers, so that no later than 18 months after entry into force of this Treaty and thereafter no such missiles, launchers or support equipment shall be possessed by either Party.	ARTICLE V—ELIMINATION OF SHORTER-RANGE MISSILES Paragraph 1 of Article V provides for the elimination of the shorter-range missiles of each Party, along with launchers of such missiles and associated support equipment, within a single period of 18 months after the entry into force of the Treaty. Thus, there is only one phase for reductions of shorter-range missiles during which shorter-range missiles, their launchers, and associated support equipment must be eliminated. After elimination, the Parties are not permitted to possess any shorter-range missiles, launchers of such missiles, or associated support equipment.	ARTICLE V Paragraph 1 22. What parts of the shorter range missiles, launchers, support structures, and support equipment to be eliminated will remain after "elimination?"

Treaty	Executive Branch Article-By-Article Analysis	Questions
2. No later than 90 days after entry into force of this Treaty, each Party shall complete the removal of all its deployed shorter-range missiles and deployed and non-deployed launchers of such missiles to elimination facilities and shall retain them at those locations until they are eliminated in accordance with the procedures set forth in the Protocol on Elimination. No later than 12 months after entry into force of this Treaty, each Party shall complete the removal of all its non-deployed shorter-range missiles to elimination facilities and shall retain them at those locations until they are eliminated in accordance with the procedures set forth in the Protocol on Elimination.	Paragraphs 2 and 3 of Article V restrict the locations of shorter-range missiles and their launchers during the 18-month elimination period. Paragraph 2 requires that, within 90 days of entry into force of the Treaty, each Party move all of its deployed shorter-range missiles, as well as all of its deployed and non-deployed launchers of shorter-range missiles, to the elimination facilities specified in the MOU (or in subsequent data updates) and retain them there until they are destroyed in accordance with Section II of the Protocol on Elimination. Within 12 months after entry into force of the Treaty, each Party shall move all of its non-deployed shorter-range missiles to the elimination facilities specified in the MOU (or in subsequent data updates) and shall retain them there until they are destroyed, in accordance with Section II of the Protocol on Elimination, during the 18-month elimination period. The requirement to move shorter-range missile systems to elimination facilities early in the elimination period is commonly referred to as the "corral" concept.	

-2a

Treaty	Executive Branch Article-By-Article Analysis	Questions
3 Shorter-range missiles and launchers of such missiles shall not be located at the same elimination facility. Such facilities shall be separated by no less than 1000 kilometers.	Paragraph 3 of Article V provides that shorter-range missiles and launchers of shorter-range missiles must not be located at the same elimination facility. Elimination facilities for shorter-range missiles and elimination facilities for launchers of shorter-range missiles must be seperated from each other by at least 1000 kilometers. The locational restrictions in paragraphs 2 and 3 of Article V, together, with those in paragraph 3 of Article VIII, are intended to ensure that shorter-range missiles and their launchers are removed from operational status as soon as possible after entry into force of the Treaty. Given the fact that the Soviet Union has a monopoly on deployed shorter-range missiles, this provision will contribute significantly to NATO's security with respect to the threat posed by shorter-range missiles during the early stages of the implementation of the Treaty.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
Article VI 1. Upon entry into force of this Treaty and thereafter, neither Party shall: (a) produce or flight-test any intermediate-range missiles or produce any stages of such missiles or any launchers of such missiles; or (b) produce, flight-test or launch any shorter-range missiles or produce any stages of such missiles or any launchers of such missiles.	**ARTICLE VI—PRODUCTION AND FLIGHT-TEST BANS** Paragraph 1 of Article VI provides that, upon entry into force of the Treaty and thereafter, neither Party may produce or flight-test any intermediate-range missile, or produce any stages or launchers of such missiles. Paragraph 1 also provides that neither Party may produce, flight-test, or launch any shorter-range missiles, or produce any stages or launchers of such missiles. The term "produce" in this context means any industrial activity involving the construction of one or more missiles, stages, or launchers subject to the provisions of the Treaty. The obligation not to produce intermediate-range and shorter-range missiles, as well as their stages and launchers, prohibits the Parties from producing such items for third parties. A flight-test ban is a natural element in any treaty that eliminates an entire class of missile systems. It serves to strengthen the production ban. Any covertly produced missile could not br adequately flight-tested without likely U.S. detection. Without realistic testing, a Party's confidence in the operational capability of any covertly-produced missile system would be degraded. The reason launches of shorter-range missiles are prohibited, but allowed for intermediate-range missiles, is that intermediate-range missiles may be lauched for the purpose of destroying them. Paragraph 5 of Article X provides that, within the first six months after entry into force of the Treaty, each Party has the right to eliminate by means of such launching up to 100 of its intermediate-range missiles. This right is limited to this six-month period in order to preclude prohibited flight-testing under the guise of lauching to destruction. Restrictions and conditions on eliminations by means of launching are provided for in Articles IX and XI of the Treaty and in Section III of the Protocol on Elimination.	**ARTICLE VI** **Paragraph 1** 23. If a missile that has previously been flight tested at a range exceeding 5500 kilometers were flight tested at INF ranges, would that constitute a violation of the Treaty? If not, would subsequent production of such missile be a violation?

Treaty	Executive Branch Article-By-Article Analysis	Questions
2. Notwithstanding paragraph 1 of this Article, each Party shall have the right to produce a type of GLBM not limited by this Treaty which uses a stage which is outwardly similar to, but not interchangeable with, a stage of an existing type of intermediate-range GLBM having more than one stage, providing that that Party shall not produce any other stage which is outwardly similar to, but not interchangeable with, any other stage of an existing type of intermediate-range GLBM	Paragraph 2 of Article VI provides that, notwithstanding the paragraph 1 prohibition against producing stages of intermediate-range GLBMs, each Party has the right to produce a type of GLBM not limited by the Treaty even if that missile uses one stage that is outwardly similar to, but not interchangeable with, a stage of an existing type of intermediate-range GLBM having more than one stage. Paragraph 2 further provides that a Party may not produce any other stage that is outwardly similar to, but not interchangeable with, any other stage of an existing type of intermediate-range GLBM. This provision takes into account the outward physical similarity between the first stage of the SS-25 ICBM and the first stage of the SS-20, which is an existing type of intermediate-range GLBM. The effect of paragraph 2 is to make clear that the Treaty does not prohibit the Soviets from continuing to produce the SS-25 ICBM, which is not limited by this Treaty, on the basis that it has a first stage outwardly similar to, but not interchangeable with, the first stage of the SS-20. The United States has a reciprocal right with regard to one stage of its own Pershing missile system should it choose to exercise it. Paragraph 2 prohibits the Parties from producing more than one stage that is outwardly similar to any stage of an existing type of intermediate-range GLBM.	Paragraph 2 26. Does this provision contain a double negative so as to allow either Party to produce a type of GLBM not limited by this Treaty if the GLBM uses a stage which is outwardly similar to and interchangeable with a different stage of an existing type of intermediate range GLBM? What rights do the Parties have under this paragraph that they would not have if this paragraph were not included in the Treaty? What rights do the Parties forego by inclusion of this paragraph that they would have it if were not included in the Treaty?

Treaty	Executive Branch Article-By-Article Analysis	Questions
Article VII For the purposes of this Treaty: 1. If a ballistic missile or a cruise missile has been flight-tested or deployed for weapon delivery, all missiles of that type shall be considered to be weapon-delivery vehicles.	ARTICLE VII—COUNTING RULES Article VII contains counting rules and type rules that are critical to the operation of the Treaty. Counting rules in arms control agreements provide formal and legally binding recognition by the Parties that specified items will be counted in a certain way. Type rules provide formal and legally binding recognition by the Parties that once a specified object is counted in a certain way, then all objects of that type will be counted in that same way. Such rules are important because they provide a mechanism for verifying compliance with the provisions of an agreement. Paragraph 1 of Article VII provides that if a ballistic missile or cruise missile has been flight-tested or deployed for weapon delivery, then all missiles of that type will be considered to be weapon-delivery vehicles. When read in conjunction with paragraph 1 of Article II, which defines a ground-launched ballistic missile in terms of a "weapon-delivery vehicle," paragraph 1 of Article VII defines a weapon-delivery vehicle in such a way as to relieve a Party from having to prove that every missile of a particular type has been tested or deployed as a weapon-delivery vehicle; rather, it is sufficient to demonstrate that merely one missile of that type has been flight-tested or deployed as a weapon-delivery vehicle in order to establish for the purpose of the Treaty that all missiles of that type are weapon-delivery vehicles.	ARTICLE VII Paragraph 1 35. Because "type" is not defined, could the Soviets modify an existing shorter or intermediate range missile and claim it was of a new type? 36. How, and by whom, is it determined that a missile has been flight tested or deployed for weapon delivery? Can a Party be required to demonstrate that its own missile is not a weapon delivery vehicle?

Treaty	Executive Branch Article-By-Article Analysis	Questions
2. If a GLBM or GLCM is an intermediate-range missile, all GLBMs or GLCMs of that type shall be considered to be intermediate-range missiles. If a GLBM or GLCM is a shorter-range missile, all GLBMs or GLCMs of that type shall be considered to be shorter-range missiles.	Paragraph 2 of Article VII states that if a GLBM or GLCM is an intermediate-range missile, then all GLBM or GLCMs of that type will be considered to be intermediate-range missiles. Similarly, if a GLBM or a GLCM is a shorter-range missile, then all GLBMs or GLCMs of that type shall be considered to be shorter-range missiles. Paragraph 2 works in conjunction with all of the other Treaty provisions that refer to intermediate-range missiles or shorter-range missiles; it has the effect of a type rule, making such provisions applicable to all GLBMs and GLCMs if a single GLBM or GLCM of that type is an intermediate-range or shorter-range missile. "Intermediate-range missile" and "shorter-range missile" are defined in paragraphs 5 and 6, respectively, of Article II.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
3. If a GLBM is of a type developed and tested solely to intercept and counter objects not located on the surface of the earth, it shall not be considered to be a missile to which the limitations of this Treaty apply.	Paragraph 3 of Article VII provides that if a type of GLBM is developed and tested solely to intercept and counter objects not on the surface of the Earth, then it will not be considered to be a GLBM subject to the Treaty. Paragraph 3 thus provides an explicit exception to paragraphs 1 and 2 of Article VII, and applies to such ground-launched ballistic missiles as anti-satellite missiles (ASATs), anti-ballistic missile systems (ABMs), and air defense or surface-to-air missiles (SAMs).	Paragraph 3 27. Who will determine whether a GLBM "is of a type developed and tested solely to intercept and counter objects not located on the surface of the earth"? Does "solely" apply to both development and testing? If a GLBM is developed for both ground and air targets, but has been tested only against air targets, is it exempted from coverage by this provision?

Treaty	Executive Branch Article-By-Article Analysis	Questions
4. The range capability of a GLBM not listed in Article III of this Treaty shall be considered to be the maximum range to which it has been tested. The range capability of a GLCM not listed in Article III of this Treaty shall be considered to be the maximum distance which can be covered by the missile in its standard design mode flying until fuel exhaustion, determined by projecting its flight path onto the earth's sphere from the point of launch to the point of impact. GLBMs or GLCMs that have a range capability equal to or in excess of 500 kilometers but not in excess of 1000 kilometers shall be considered to be shorter-range missiles. GLBMs or GLCMs that have a range capability in excess of 1000 kilometers but not in excess of 5500 kilometers shall be considered to be intermediate-range missiles.	Paragraph 4 of Article VII establishes criteria for defining the range capability of GLBMs and GLCMs not specified in Article III. For purposes of the Treaty, the range capability of a GLBM not listed in Article III is defined as its maximum tested range. The range capability of a GLCM not listed in Article III is defined as the maximum distance it can cover, while flying in its standard design mode, before it runs out of fuel. Distance is calculated by projecting the flight path of the GLCM onto the Earth's sphere from the point of launch to the point of impact. Paragraph 4 also describes intermediate-range missiles and shorter-range missiles in terms of their range capability. A shorter-range GLBM or GLCM is a missile with a range capability equal to or greater than 500 kilometer but not greater than 1000 kilometers. An intermediate-range GLBM or GLCM is defined as a missile with a range capability greater than 1000 kilometers but not greater than 5500 kilometers.	Paragraph 4 38. Is there an agreed meaning of the term "missile in its standard design mode flying until fuel exhaustion"? If so, what? 39. Does this paragraph permit the flight testing of a GLCM, not listed in Article III, at the 500-5000 kilometers range, if the maximum distance that could be covered by the "missile in its standard design mode flying until fuel exhaustion..." exceeds 5500 kilometers? In a case in which the Soviet Union flight tests a GLCM to a range less than 500 kilometers but the United States believes that the GLCM's range capability as defined in this paragraph exceeds 500 km, how would such a dispute be resolved under the Treaty?

Treaty	Executive Branch Article-By-Article Analysis	Questions
5. The maximum number of warheads an existing type of intermediate-range missile or shorter-range missile carries shall be considered to be the number listed for missiles of that type in the Memorandum of Understanding.	Paragraph 5 of Article VII provides that the maximum number of warheads considered to be carried by an existing type of intermediate-range missile or shorter-range missile is the number of warheads specified for missiles of that type in Section VI of the MOU. The specification of the number of warheads associated with an existing type of intermediate-range missile is necessary in order to calculate compliance with the warhead limits pertaining to intermediate-range missiles provided for in Article IV.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
6. Each GLBM or GLCM shall be considered to carry the maximum number of warheads listed for a GLBM or GLCM of that type in the Memorandum of Understanding.	Paragraph 6 of Article VII provides that each GLBM or GLCM will be considered to carry the maximum number of warheads for a missile of that type specified in Section VI of the MOU. Thus, when the Parties apply paragraph 2 of Article IV to determine whether they have sufficiently reduced the warheads on intermediate-range missiles to meet their obligations for the first phase of reductions, they will use the maximum number of warheads associated with that type of intermediate-range missile as specified in Section VI of the MOU.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
7. If a launcher has been tested for launching a GLBM or a GLCM, all launchers of that type shall be considered to have been tested for launching GLBMs or GLCMs.	Paragraph 7 of Article VII provides that if a launcher has been tested for launching a GLBM or a GLCM, then all launchers of that type will be considered to have been tested for launching GLBMs or GLCMs, respectively. This paragraph works in conjunction with the Treaty provisions that refer to the testing of GLBM launchers or GLCM launchers; it has the effect of a type rule, making such provisions applicable to all launchers of a given type if a single launcher of that type has been tested to launch a GLBM or a GLCM, respectively. "GLBM launcher" and "GLCM launcher" are defined in paragraphs 3 and 4, respectively, of Article II.	**Paragraph 7** 30. Could an SS-25 launcher, which is allowed under the Treaty, be used to launch SS-20 missiles for elimination? Could the Soviets use SS-25 launchers for training using simulated or dummy SS-20's without such training constituting a violation of the treaty?

Treaty	Executive Branch Article-By-Article Analysis	Questions
8. If a launcher has contained or launched a particular type of GLBM or GLCM, all launchers of that type shall be considered to be launchers of that type of GLBM or GLCM.	Paragraph 8 of Article VII provides that if a launcher has contained, or has launched, a particular type of GLBM or GLCM, then all launchers of that type will be considered to be launchers of that type of GLBM or GLCM, respectively. This paragraph has the effect of a type rule. Thus, if one launcher of a type has been tested for launching a GLBM or a GLCM, then all launchers of that type will be considered GLBM or GLCM launchers, respectively, and thus will be subject to the Treaty.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
9. The number of missiles each launcher of an existing type of intermediate-range missile or shorter-range missile shall be considered to be capable of carrying or containing at one time is the number listed for launchers of missiles of that type in the Memorandum of Understanding.	Paragraph 9 of Article VII provides that each launcher of an existing type of GLBM or GLCM will be considered capable of carrying or containing the number of missiles specified in Section VI of the MOU for that type of launcher. Thus, when the Parties apply paragraph 2 of Article IV to determine whether they have sufficiently reduced the warheads associated with intermediate-range missile launchers, they will use the number of GLBMs or GLCMs that the launcher of that type is considered capable of carrying, as specified in Section VI of the MOU, and, pursuant to paragraph 5 of Article VII which provides the warhead counting rule for GLBMs and GLCMs, multiply that number times the maximum number of warheads associated with that type of GLBM or GLCM, as specified in Section VI of the MOU.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
10. Except in the case of elimination in accordance with the procedures set forth in the Protocol on Elimination, the following shall apply: (a) for GLBMs which are stored or moved in separate stages, the longest stage of an intermediate-range or shorter-range GLBM shall be counted as a complete missile; (b) for GLBMs which are not stored or moved in separate stages, a canister of the type used in the launch of an intermediate-range GLBM, unless a Party proves to the satisfaction of the other Party that it does not contain such a missile, or an assembled intermediate-range or shorter-range GLBM, shall be counted as a complete missile; and (c) for GLCMs, the airframe of an intermediate-range or shorter-range GLCM shall be counted as a complete missile.	Paragraph 10 of Article VII provides counting rules for GLBMs and GLCMs. These rules define how GLBMs and GLCMs are accounted for under the terms of the Treaty. The purpose of these provisions is to facilitate verification of compliance with the Treaty by identifying those features of the missile systems most easily observable by national technical means of verification. Subparagraph (a) of paragraph 10 states that, for GLBMs stored or moved in separate stages (such as the Pershing II), the longest stage of an intermediate-range or shorter-range GLBM will be counted as a complete missile. This means that each longest stage of such a GLBM will be counted as one complete missile. The Protocol on Elimination requires, however, that all stages of existing types of GLBMs be eliminated. Subparagraph (b) of paragraph 10 of Article VII provides that, for GLBMs not stored or moved in separate stages (such as the SS-20), a canister of the type used in the launch of an intermediate-range GLBM will be counted as a complete missile, unless a Party proves to the satisfaction of the other Party that the canister does not contain such a missile. This means that such a GLBM canister will be counted as one complete GLBM. This canister counting rule serves an important verification purpose. Soviet missiles typically are kept in canisters. By virtue of this rule, if the United States detects a canister subject to the provisions of the Treaty, it will be entitled to consider that canister to contain a missile of the type associated with that canister, unless the Soviet Union can demonstrate to the satisfaction of the United States that the canister does not contain such a missile. Such a demonstration could involve on-site inspection, national technical means of verification, or cooperative measures. Absent such a Soviet demonstration, each Soviet canister counts as one missile for purposes of Treaty limitations. Also, pursuant to the Protocol on Elimination, canisters of prohibited types of intermediate-range and shorter-range missiles must be eliminated along with their associated missiles. In addition, subparagraph (b) of Article 10 provides that, for GLBMs not stored or moved in separate stages, an assembled intermediate-range or shorter-range GLBM shall be considered a completed missile. Subparagraph (c) of paragraph 10 states that, for GLCMs, the airframe of an intermediate-range or shorter-range GLCM will be counted as a complete missile. This means that the airframe of a GLCM will be counted as if it were a complete missile.	Paragraph 10 31. Is it possible to distinguish between a ballistic missile or a cruise missile which is "not a missile to be used in a ground based mode" and one that is to be used in a ground based mode? How is that distinction made?

Treaty	Executive Branch Article-By-Article Analysis	Questions
11. A ballistic missile which is not a missile to be used in a ground-based mode shall not be considered to be a GLBM if it is test-launched at a test site from a fixed land-based launcher which is used solely for test purposes and which is distinguishable from GLBM launchers. A cruise missile which is not a missile to be used in a ground-based mode shall not be considered to be a GLCM if it is test-launched at a test site from a fixed land-based launcher which is used solely for test purposes and which is distinguishable from GLCM launchers.	Paragraph 11 of Article VII provides that a ballistic missile not intended for use in a ground-based mode will not be considered to be a GLBM subject to the Treaty if: (a) it is test-launched at a test site from a fixed, land-based launcher that is used solely for test purposes, and (b) its launcher is distinguishable from GLBM launchers subject to the Treaty. Similarly, a cruise missile not intended for use in a ground-based mode shall not be considered to be a GLCM subject to the Treaty if: (a) it is test-launched at a test site from a fixed, land-based launcher that is used solely for test purposes, and (b) its launcher is distinguishable from GLCM launchers subject to the Treaty. These exceptions are necessary to permit the land-based testing of items not subject to the Treaty, such as submarine-launched ballistic missiles (SLBMs) and sea-launched cruise missiles (SLCMs)	

Treaty	Executive Branch Article-By-Article Analysis	Questions
12. Each Party shall have the right to produce and use for booster systems, which might otherwise be considered to be intermediate-range or shorter-range missiles, only existing types of booster stages for such booster systems. Launches of such booster systems shall not be considered to be flight-testing of intermediate-range or shorter-range missiles provided that: (a) stages used in such booster systems are different from stages used in those missiles listed as existing types of intermediate-range or shorter-range missiles in Article III of this Treaty; (b) such booster systems are used only for research and development purposes to test objects other than the booster systems themselves; (c) the aggregate number of launchers for such booster systems shall not exceed 35 for each Party at any one time; and (d) the launchers for such booster systems are fixed, emplaced above ground and located only at research and development launch sites which are specified in the Memorandum of Understanding Research and development launch sites shall not be subject to inspection pursuant to Article XI of this Treaty.	Paragraph 12 of Article VII gives each Party the right to produce and use existing booster stages in order to create booster systems with ranges between 500 and 5500 kilometers. This provision permits each Party to produce and use booster stages that otherwise might, because of the range to which the booster system is launched and the payload that is tested, be considered for the purposes of the Treaty to be intermediate-range or shorter-range missiles. In this regard, if a ballistic missile or cruise missile is not a weapon-delivery vehicle, then pursuant to paragraph 1 or 2, respectively, of Article II it is not subject to the provisions of the Treaty. Paragraph 12 is essential to permit the United States to continue on-going research on advanced concepts for strategic reentry vehicles and defensive systems. Paragraph 12 further provides that launches of such booster systems will not be considered to be flight testing of intermediate-range and shorter-range missiles as long as four conditions are met. First, the stages used in such booster systems must be different from stages used in those missiles listed as existing types of intermediate-range or shorter-range missiles in Article III. Second, the booster systems must be used only for research and development purposes to test objects other than themselves. Third, the total number of launchers for such booster systems must not exceed 35 at any one time for either Party. Fourth, the launchers for such booster systems must be fixed and emplaced above ground. Such launchers must be located only at research and development launch sites that are specified in Section VII of the MOU. Such research and development launch sites are not subject to inspection pursuant to Article XI of the Treaty. Paragraph 6 of Article IX, however, provides that each party must notify the other Party, at least ten days in advance, of the scheduled date and location of the launch of a research and development booster system as described in this paragraph. The purpose of such a notification is to enhance the verification by national technical means of such launches.	Paragraph 12 32. What is the definition of the term "booster systems"? Is there any limit on the number of such "booster systems" permitted under this paragraph? 33. What are the "existing types of booster stages" covered by this paragraph? Are any of these "existing types of booster stages" also used as stages on the SS-20?

Treaty	Executive Branch Article-By-Article Analysis	Questions
Article VIII 1. All intermediate-range missiles and launchers of such missiles shall be located in deployment areas, at missile support facilities or shall be in transit. Intermediate-range missiles or launchers of such missiles shall not be located elsewhere.	ARTICLE VIII—LOCATION AND TRANSIT Article VIII sets forth locational restrictions both for intermediate-range missiles and their launchers and for shorter-range missiles and their launchers. In addition, Article VIII limits the movement of missiles and launchers subject to the provisions of the Treaty. The ability to verify compliance is enhanched if there are restrictions on the location and movement of Treaty-limited items during the period in which they are being eliminated. Paragraph 1 of Article VIII provides that all intermediate-range missiles and their launchers must be: (a) located in deployment areas, (b) located at missile support facilities, or (c) in transit. Intermediate-range missiles or their launchers may not be located elsewhere. The terms "deployment areas," "missile support facility," and "transit" are defined in paragraphs 7, 9, and 10, respectively, of Article II; the locations of deployment areas and missile support facilities of intermediate-range missiles are specified in Section III of the MOU, and notification of missiles and launchers in transit is required pursuant to subparagraph 5(f) of Article IX.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
2. Stages of intermediate-range missiles shall be located in deployment areas, at missile support facilities or moving between deployment areas, between missile support facilities or between missile support facilities and deployment areas.	Paragraph 2 of Article VIII requires that stages of intermediate-range missiles must be: (a) located in deployment areas, (b) located at missile support facilities, or (c) moving between deployment areas, between missile support facilities, or between deployment areas and missile support facilities. Paragraph 2 complements paragraph 1 of Article VIII by placing restrictions similar to those for intermediate-range missiles on stages of such missiles. The terms "deployment area" and "missile support facility" are defined in paragraphs 7 and 9, respectively, of Article II; the locations of deployment areas and missile support facilities of intermediate-range missile systems are specified in Section III of the MOU.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
3. Until their removal to elimination facilities as required by paragraph 2 of Article V of this Treaty, all shorter-range missiles and launchers of such missiles shall be located at missile operating bases, at missile support facilities or shall be in transit. Shorter-range missiles or launchers of such missiles shall not be located elsewhere.	Paragraph 3 of Article VIII provides that all shorter-range missiles and their launchers, until their removal to elimination facilities as required by paragraph 2 of Article V, must be: (a) located at missile operating bases, (b) located at missile support facilities, or (c) in transit. Paragraph 10 of Article II requires that such transit can only be to elimination facilities. Shorter-range missiles or their launchers may not be located elsewhere. The terms "missile operating base," "missile support facility," and "transit" are defined in paragraphs 8, 9, and 10, respectively, of Article II, and the location of such bases is specified in Section IV of the MOU.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
4. Transit of a missile or launcher subject to the provisions of this Treaty shall be completed within 25 days.	Paragraph 4 of Article VIII provides that the transit of a missile or launcher must be completed within 25 days. To facilitate verification of compliance with this provision, paragraph 5(f) of Article IX provides for notification of such transits within 48 hours after they have been completed. Such notification must include the location of the transiting missile or launcher once every four days during that transit.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
5. All deployment areas, missile operating bases and missile support facilities are specified in the Memorandum of Understanding or in subsequent updates of data pursuant to paragraphs 3, 5(a) or 5(b) of Article IX of this Treaty. Neither Party shall increase the number of, or change the location or boundaries of, deployment areas, missile operating bases or missile support facilities, except for elimination facilities, from those set forth in the Memorandum of Understanding. A missile support facility shall not be considered to be part of a deployment area even though it may be located within the geographic boundaries of a deployment area.	Paragraph 5 of Article VIII states that all deployment areas, missile operating bases, and missile support facilities are specified either in the MOU or in subsequent updates of data provided pursuant to paragraphs 3, 5(a), or 5(b) of Article IX of the Treaty. Also, paragraph 5 of Article VIII provides that neither Party will increase the number of, or change the location or boundaries of, deployment areas, missile operating bases, or missile support facilities from those set forth in the MOU. Elimination facilities are excepted from this prohibition in order to give each Party the flexibility to determine the most appropriate elimination site(s) during the three-year elimination period. Finally, paragraph 5 provides that a missile support facility will not be considered to be part of a deployment area even if it is located within such an area. Missiles, stages, and launchers located at missile support facilities are considered to be non-deployed. If a missile support facility located within a deployment area were considered to be part of the deployment area, then any missiles, stages, or launchers located at that facility would be deployed, rather than non-deployed.	**ARTICLE VIII** **Paragraph 5** 34. If the Soviets have continued after November 1, 1987 to maintain SS-20's or SS-4's or support equipment at any missile support facility previously associated with these missiles but not listed in the MOU, would they be in violation of this provision?

Treaty	Executive Branch Article-By-Article Analysis	Questions
6. Beginning 30 days after entry into force of this Treaty, neither Party shall locate intermediate-range or shorter-range missiles, including stages of such missiles, or launchers of such missiles at missile production facilities, launcher production facilities or test ranges listed in the Memorandum of Understanding	Paragraph 6 of Article VIII provides that, beginning 30 days after entry into force of the Treaty, neither Party may locate: (a) intermediate-range missiles, (b) stages of intermediate-range missiles, (c) launchers of intermediate-range missiles, (d) shorter-range missiles, (e) stages of shorter-range missiles, or (f) launchers of shorter-range missiles at missile production facilities, launcher production facilities, or test ranges specified in the MOU. This means that, after the 30-day period, locating a missile, a missile stage, or a launcher at a production facility or test range would be a violation. By providing that missiles, launchers, and stages may not be located in locations at which such items would be produced or tested, paragraph 6 makes compliance with the Treaty prohibitions on production and testing easier to verify.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
7. Neither Party shall locate any intermediate-range or shorter-range missiles at training facilities.	Paragraph 7 of Article VIII provides that neither Party may locate any intermediate-range missiles or shorter range missiles at training facilities. The prohibition against locating missiles at training facilities is designed to guard against covert operation of those missiles at such facilities.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
8. A non-deployed intermediate-range or shorter-range missile shall not be carried on or contained within a launcher of such a type of missile, except as required for maintenance conducted at repair facilities or for elimination by means of launching conducted at elimination facilities.	Paragraph 8 of Article VIII provides that a non-deployed intermediate-range or shorter-range missile may not be carried on, or be contained within, a launcher for such a type of missile, except as required for maintenance conducted at repair facilities or for elimination by means of launching conducted at elimination facilities. This provision is designed to help ensure that non-deployed missiles are not covertly operational during the elimination period.	Paragraph 8 35. May a missile "be carried on or contained within a launcher" outside of the repair facility if it is in transit to a repair or elimination facility?

Treaty	Executive Branch Article-By-Article Analysis	Questions
9. Training missiles and training launchers for intermediate-range or shorter-range missiles shall be subject to the same locational restrictions as are set forth for intermediate-range and shorter-range missiles and launchers of such missiles in paragraphs 1 and 3 of this Article.	Paragraph 9 of Article VIII provides that training missiles as well as training launchers for intermediate-range missiles and for shorter-range missiles are subject to the same locational restrictions as for intermediate-range and shorter-range missiles and launchers of such missiles that are provides for in paragraphs 1 and 3 of Article VIII. This means that training missiles and training launchers for intermediate-range missiles must be located in deployment areas, be located at missile support facilities, or be in transit, while training missiles and training launchers for shorter-range missiles must be located at missile operating bases, be located at missile support facilities, or be in transit to elimination facilities. Since some training systems are not readily externally distinguishable, particularly by national technical means of verification, from actual missiles and launchers, the requirement that they be located at the same facilities as operational systems helps to ensure that operational systems will not be covertly deployed under the guise of training systems.	Paragraph 9 36. What is the definition of "training missiles and training launchers"? 37. Must training missiles be inert, i.e., without propellant?

Treaty	Executive Branch Article-By-Article Analysis	Questions
Article IX 1. The Memorandum of Understanding contains categories of data relevant to obligations undertaken with regard to this Treaty and lists all intermediate-range and shorter-range missiles, launchers of such missiles, and support structures and support equipment associated with such missiles and launchers, possessed by the Parties as of November 1, 1987. Updates of that data and notifications required by this Article shall be provided according to the categories of data contained in the Memorandum of Understanding.	ARTICLE IX—DATA EXCHANGES AND NOTIFICATIONS Article IX sets forth the basic obligations for the data exchanges and notifications associated with the elimination of intermediate-range and shorter-range missile systems. These data exchanges and notifications are of unprecedented scope and represent an important verification measure. Paragraph 1 of Article IX states that the MOU contains categories of data relevant to the Treaty's obligations and that it lists all of the intermediate-range and shorter-range missiles, as well as their launchers, support structures, and support equipment, possessed by the Parties as of November 1, 1987. Paragraph 1 requires that updates of that data and notifications required by this Article be provided according to the categories contained in the MOU. While the data is updated in each category, the MOU itself, as well as its categories, does not change.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
2. The Parties shall update that data and provide the notifications required by this Treaty through the Nuclear Risk Reduction Centers, established pursuant to the Agreement Between the United States of America and the Union of Soviet Socialist Republics on the Establishment of Nuclear Risk Reduction Centers of September 15, 1987	Paragraph 2 of Article IX requires that updates of data and notifications be provided through the Nuclear Risk Reduction Centers. As stated above, the Centers were established pursuant to the Agreement between the United States of America and the Union of Soviet Socialist Republics on the Establishment of Nuclear Risk Reduction Centers of September 15, 1987.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
3. No later than 30 days after entry into force of this Treaty, each Party shall provide the other Party with updated data, as of the date of entry into force of this Treaty, for all categories of data contained in the Memorandum of Understanding.	Paragraph 3 of Article IX provides that, not less than 30 days after the entry into force of the Treaty, each Party will provide the other Party with updated data, as of the date of the entry into force of the Treaty, for all categories of data contained in the MOU. Since parargraph 1 of Article IX requires that the data in the MOU be current as of November 1, 1987, paragraph 3 provides the mechanism by which the information initially provided by the MOU if updated for the period between November 1, 1987, and the date of the entry into force of the Treaty. It is this updated data that lists the inventory of items to be eliminated under the Treaty.	**ARTICLE IX.** **Paragraph 3** 38. What recourse is available to the United States under the Treaty in the event that the updated data provided to the United States 30 days after entry into force does not coincide with our own information?

Treaty	Executive Branch Article-By-Article Analysis	Questions
4. No later than 30 days after the end of each six-month interval following the entry into force of this Treaty, each Party shall provide updated data for all categories of data contained in the Memorandum of Understanding by informing the other Party of all changes, completed and in process, in that data, which have occurred during the six-month interval since the preceding data exchange, and the net effect of those changes.	Paragraph 4 of Article IX requires that, following the entry into force of the Treaty, each Party must provide updated data for all categories in the MOU at six-month intervals. The updated data must be provided not later than 30 days after each six-month interval. The updates must inform the other Party of all changes, completed and in process, that have occurred during the six-month interval. The updates must also inform the other Party of the "net effect" of those changes.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
5. Upon entry into force of this Treaty and thereafter, each Party shall provide the following notifications to the other Party: (a) notification, no less than 30 days in advance, of the scheduled date of the elimination of a specific deployment area, missile operating base or missile support facility; (b) notification, no less than 30 days in advance, of changes in the number or location of elimination facilities, including the location and scheduled date of a change; (c) notification, except with respect to launches of intermediate-range missiles for the purpose of their elimination, no less than 30 days in advance, of the scheduled date of the initiation of the elimination of intermediate-range and shorter-range missiles, and stages of such missiles, and launchers of such missiles and support structures and support equipment associated with such missiles and launchers, including: (i) the number and type of items of missile systems to be eliminated; (ii) the elimination site; (iii) for intermediate-range missiles, the location from which such missiles, launchers of such missiles and support equipment associated with such missiles and launchers are moved to the elimination facility; and (iv) except in the case of support structures, the point of entry to be used by an inspection team conducting an inspection pursuant to paragraph 7 of Article XI of this Treaty and the estimated time of departure of an inspection team from the point of entry to the elimination facility;	Paragraph 5 of Article IX sets forth additional notification requirements imposed on each Party. These requirements will apply throughout the life of the Treaty. Subparagraph 5(a) requires notification, not less than 30 days in advance, of the scheduled date of elimination of a specific deployment area, missile operating base, or missile support facility. Paragraph 8 of Article X calls for the elimination of deployment areas, missile operating bases, and missile support facilities. Upon elimination, former missile operating bases and former missile support facilities (except missile production facilities) will continue to be subject to "short-notice" on-site inspections, in accordance with paragraph 5 of Article XI, until 13 years have elapsed after the entry into force of the Treaty. Subparagraph 5(b) requires notification, not less than 30 days in advance, of changes in the number or location of elimination facilities, including the location and date of a scheduled change. Elimination facilities, being a type of missile support facility, must themselves be eliminated pursuant to paragraph 8 of Article X. Subparagraph 5(c) requires notification, not less than 30 days in advance, of the scheduled date of the initiation of the elimination of intermediate-range and shorter-range missiles, stages and launchers of such missiles, and support structures and support equipment associated with such missiles and launchers. Such notifications must include the following five items: —the number and type of items of missile systems to be eliminated; —the elimination site; —the location from which intermediate-range missiles, their launchers, and support equipment will be moved to the elimination site; —except in the case of support structures, the point of entry to be used by an inspection team conducting an "elimination" inspection pursuant to paragraph 7 of Article XI; and —the estimated time of departure of the inspection team from the point of entry to the elimination facility. Launches of intermediate-range missiles for the purposes of their elimination do not require notifications in accordance with subparagraph 5(c); rather, notice of such eliminations by launching must be provided in accordance with subparagraph 5(d) below.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
(d) notification, no less than ten days in advance, of the scheduled date of the launch, or the scheduled date of the initiation of a series of launches, of intermediate-range missiles for the purpose of their elimination, including: (i) the type of missiles to be eliminated; (ii) location of the launch, or, if elimination is by a series of launches, the location of such launches and number of launches in the series; (iii) the point of entry to be used by an inspection team conducting an inspection pursuant to paragraph 7 of Article XI of this Treaty; and (iv) the estimated time of departure of an inspection team from the point of entry to the elimination facility;	Subparagraph 5(d) requires notification, not less than ten days in advance, of the scheduled date of the launch, or the scheduled date of the initiation of a series of launches, of intermediate-range missiles for the purpose of their elimination pursuant to paragraph 5 of Article X. Such notifications must include the following information: —the type of intermediate-range missiles to be eliminated; —the location of the launch. If the elimination is by a series of launches, the location and number of such launches; —the point of entry to be used by an inspection team conducting an "elimination" inspection pursuant to paragraph 7 of Article XI of the Treaty; and —the estimated time of departure of the inspection team from the point of entry to the elimination facility.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
(e) notification, no later than 48 hours after they occur, of changes in the number of intermediate-range and shorter-range missiles, launchers of such missiles and support structures and support equipment associated with such missiles and launchers resulting from elimination as described in the Protocol on Elimination, including: (i) the number and type of items of a missile system which were eliminated; and (ii) the date and location of such elimination; and	Subparagraph 5(e) requires notification of changes, within 48 hours after they occur, in the number of intermediate-range and shorter-range missiles, as well as their launchers, and support structures and support equipment associated with such missiles and launchers, resulting from elimination. Such notifications must include the following information: —the number and type of items of a missile system that were eliminated; and —the date and location of the elimination.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
(f) notification of transit of intermediate-range or shorter-range missiles or launchers of such missiles, or the movement of training missiles or training launchers for such intermediate-range and shorter-range missiles, no later than 48 hours after it has been completed, including: (i) the number of missiles or launchers; (ii) the points, dates and times of departure and arrival; (iii) the mode of transport; and (iv) the location and time at that location at least once every four days during the period of transit.	Subparagraph 5(f) requires notification of the transit, not more than 48 hours after it has been completed, of intermediate-range missiles or shorter-range missiles or launchers of such missiles, or the movement of training missiles or training launchers for intermediate-range missiles or shorter-range missiles. Such notifications must include the following information: —the number of missiles or launchers that were moved; —the points, dates, and times of departure and arrival; —the transport used; and —the locations, and time at that location, at least once every four days during the period of transit.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
6. Upon entry into force of this Treaty and thereafter, each Party shall notify the other Party, no less than ten days in advance, of the scheduled date and location of the launch of a research and development booster system as described in paragraph 12 of Article VII of this Treaty.	Paragraph 6 of Article IX requires notification, not less then ten days in advance, of the scheduled date and location of the launch of a research and development booster system as described in paragraph 12 of Article VII. This provision facilitates monitoring, which helps to ensure that missile systems subject to the Treaty will not be covertly tested under the guise of research and development boosters.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
Article X 1. Each Party shall eliminate its intermediate-range and shorter-range missiles and launchers of such missiles and support structures and support equipment associated with such missiles and launchers in accordance with the procedures set forth in the Protocol on Elimination.	ARTICLE X—ELIMINATION Article X sets forth the basic obligations for the elimination of items or facilities whose destruction is required by the Treaty. Details concerning the elimination of specific items are provided in the Protocol on Elimination. This elimination regime helps to ensure that all elimination required by the Treaty will, in fact, be performed. Paragraph 1 of Article X requires that each Party eliminate its intermediate-range and short-range missiles, launchers of such missiles, and associated support structures and support equipment in accordance with the procedures set forth in the Protocol on Elimination.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
2. Verification by on-site inspection of the elimination of items of missile systems specified in the Protocol on Elimination shall be carried out in accordance with Article XI of this Treaty, the Protocol on Elimination and the Protocol on Inspection.	Paragraph 2 of Article X provides that on-site inspection of the elimination of items of missile systems specified in the Protocol on Elimination must take place in accordance with Article XI of the Treaty, the Protocol on Inspection, and the Protocol on Elimination.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
3. When a Party removes its intermediate-range missiles, launchers of such missiles and support equipment associated with such missiles and launchers from deployment areas to elimination facilities for the purpose of their elimination, it shall do so in complete deployed organizational units. For the United States of America, these units shall be Pershing II batteries and BGM-109G flights. For the Union of Soviet Socialist Republics, these units shall be SS-20 regiments composed of two or three battalions.	Paragraph 3 of Article X requires that when intermediate-range missiles, their launchers, and associated support equipment are removed from deployment areas to elimination facilities, they must be removed in complete deployed organizational units. For the United States, such organizational units are batteries of Pershing II ballistic missiles and flights of BGM-109G cruise missiles. For the Soviet Union, such organizational units are SS-20 ballistic missiles regiments composed of two or three battalions. Elimination by complete organizational units will aid in verification of the elimination process.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
4. Elimination of intermediate-range and shorter-range missiles and launchers of such missiles and support equipment associated with such missiles and launchers shall be carried out at the facilities that are specified in the Memorandum of Understanding or notified in accordance with paragraph 5(b) of Article IX of this Treaty, unless eliminated in accordance with Sections IV or V of the Protocol on Elimination. Support structures, associated with the missiles and launchers subject to this Treaty, that are subject to elimination shall be eliminated *in situ*.	Paragraph 4 of Article X provides that the elimination of intermediate-range and shorter-range missiles, launchers of such missiles, and associated support equipment must be carried out either at the elimination facilities specified in the MOU or at new elimination facilities specified in the MOU or at new elimination facilities identified in accordance with subparagraph 5(b) of Article IX. If such items are eliminated in accordance with Section IV (i.e., elimination *in situ*) or section V (i.e., elimination through loss, accidental destruction, or static display) of the Protocol on Elimination, then they need not be eliminated at the facilities specified in the MOU or at the facilities as to which notification was made in accordance with subparagraph 5(b) of Article IX. Support structures, associated with Treaty-limited missiles or launchers, that are subject to elimination must be eliminated *in situ*.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
5. Each Party shall have the right, during the first six months after entry into force of this Treaty, to eliminate by means of launching no more than 100 of its intermediate-range missiles.	Paragraph 5 of Article X permits each Party to eliminate, within the first six months after the entry into force of the Treaty, up to 100 intermediate-range missiles by means of launching. Section III of the Protocol on Elimination requires that such missiles must be launched from designated launch sites to existing impact areas. The purpose of the six-month time limit is to reduce any potential conflict between this means of elimination and the flight-test ban provided for in paragraph 1 of Article VI.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
6. Intermediate-range and shorter-range missiles which have been tested prior to entry into force of this Treaty, but never deployed, and which are not existing types of intermediate-range or shorter-range missiles listed in Article III of this Treaty, and launchers of such missiles, shall be eliminated within six months after entry into force of this Treaty in accordance with the procedures set forth in the Protocol on Elimination. Such missiles are: (a) for the United States of America, missiles of the type designated by the United States of America as the Pershing IB, which is known to the Union of Soviet Socialist Republics by the same designation; and (b) for the Union of Soviet Socialist Republics, missiles of the type designated by the Union of Soviet Socialist Republics as the RK-55, which is known to the United States of America as the SSC-X-4.	Paragraph 6 of Article X requires that certain intermediate-range and shorter-range missiles, and launchers of such missiles, must be eliminated within six months after the entry into force of the Treaty, if such missiles meet the following three criteria: (a) they were tested prior to the entry into force of the Treaty, (b) they were never deployed, and (c) they are not listed as existing types in Article III of the Treaty. Such missiles must be eliminated in accordance with the procedures set forth in the Protocol on Elimination. These missiles are, for the United States, the Pershing IB shorter-range ballistic missile, and, for the USSR, the RK-55 (SSC-X-4) intermediate-range cruise missile.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
7. Intermediate-range and shorter-range missiles and launchers of such missiles and support structures and support equipment associated with such missiles and launchers shall be considered to be eliminated after completion of the procedures set forth in the Protocol on Elimination and upon the notification provided for in paragraph 5(e) of Article IX of this Treaty.	Paragraph 7 of Article X provides that elimination of intermediate-range and shorter-range missiles, launchers of such missiles, and associated support structures and support equipment will be considered to have occurred after completion of the procedures set forth in the Protocol on Elimination and upon receipt of the notification required in subparagraph 5(e) of Article IX.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
8. Each Party shall eliminate its deployment areas, missile operating bases and missile support facilities. A Party shall notify the other Party pursuant to paragraph 5(a) of Article IX of this Treaty once the conditions set forth below are fulfilled: (a) all intermediate-range and shorter-range missiles, launchers of such missiles and support equipment associated with such missiles and launchers located there have been removed; (b) all support structures associated with such missiles and launchers located there have been eliminated; and (c) all activity related to production, flight-testing, training, repair, storage or deployment of such missiles and launchers has ceased there. Such deployment areas, missile operating bases and missile support facilities shall be considered to be eliminated either when they have been inspected pursuant to paragraph 4 of Article XI of this Treaty or when 60 days have elapsed since the date of the scheduled elimination which was notified pursuant to paragraph 5(a) of Article IX of this Treaty. A deployment area, missile operating base or missile support facility listed in the Memorandum of Understanding that met the above conditions prior to entry into force of this Treaty, and is not included in the initial data exchange pursuant to paragraph 3 of Article IX of this Treaty, shall be considered to be eliminated.	Paragraph 8 of Article X requires that each Party eliminate its deployment areas, missile operating bases, and missile support facilities. It is important to understand that *all* deployment areas, missile operating bases, and missile support facilities that are listed in the MOU or, in the case of elimination facilities, those identified by means of a subsequent data update, must be eliminated pursuant to paragraph 8. A Party must notify the other Party, pursuant to subparagraph 5(a) of article IX of the Treaty, of the date of the eliminations, but only after three conditions have been fulfilled. The conditions that must be met before notification can be given are as follows: —all intermediate-range and shorter-range missiles, launchers of such missiles, and associated support equipment have been removed from such areas, bases, or facilities; —all support structures associated with such missiles and launchers located at such areas, bases, or facilities have been eliminated; and —all activities related to production, flight-testing, training, repair, storage, or deployment of such missiles and launchers have ceased at such areas, bases, or facilities. Paragraph 8 of Article X further provides that such deployment areas, missile operating bases, and missile support facilities will be considered to be eliminated either when they have been inspected pursuant to paragraph 4 of Article XI (i.e., there has been a "close-out" inspection) or when 60 days have elapsed since the date of the scheduled elimination (for which notification was provided pursuant to subparagraph 5(a) of Article IX). Thus, inspection of eliminated locations is a right available to both Parties, but such inspections are not required by the Treaty. A deployment area, missile operating base, or missile support facility that met the three conditions specified above prior to entry into force of the Treaty, and which was not included in the initial data exchange update made in accordance with paragraph 3 of Article IX of the Treaty, will be considered to have been eliminated. Pursuant to paragraph 3 of Article XI, any such location will be subject to an on-site "baseline" inspection in order to determine whether, in fact, it was eliminated.	ARTICLE X Paragraph 8 39. Do the Soviets agree that bases or facilities listed in the MOU but not in the updated data exchange, that are eliminated prior to entry into force of the Treaty are subject to "baseline" on-site inspection pursuant to Article XI, Paragraph 3?

Treaty	Executive Branch Article-By-Article Analysis	Questions
9. If a Party intends to convert a missile operating base listed in the Memorandum of Understanding for use as a base associated with GLBM or GLCM systems not subject to this Treaty, then that Party shall notify the other Party, no less than 30 days in advance of the scheduled date of the initiation of the conversion, of the scheduled date and the purpose for which the base will be converted.	Paragraph 9 of Article X provides that if a Party intends to convert a missile operating base listed in the MOU for use as a base associated with GLBM or GLCM systems not subject to the Treaty, then that Party shall notify the other Party, no less than 30 days in advance of the scheduled date of the initiation of the conversion, of the scheduled date and the purpose for which the base will be converted. However, while such a missile base can be converted, such a base must nevertheless be eliminated pursuant to paragraph 8 of Article X above. Conversion is not a substitute for elimination under the Treaty.	Paragraph 9 40. When is a Party considered to have "initiated" a conversion under the terms of this provision? 41. May a Party wholly avoid the elimination provisions relating to missile operating bases simply by giving the requisite notice under this paragraph of intent to convert a base listed in the MOU to a base for use with systems not subject to the Treaty (e.g., SS-20 operating base to be converted to SS-25 base)? If not, why is this paragraph not explicit that a missile operating base must be eliminated pursuant to paragraph 8 prior to conversion?

Treaty	Executive Branch Article-By-Article Analysis	Questions
Article XI 1. For the purpose of ensuring verification of compliance with the provisions of this Treaty, each Party shall have the right to conduct on-site inspections. The Parties shall implement on-site inspections in accordance with this Article, the Protocol on Inspection and the Protocol on Elimination.	ARTICLE XI—ON-SITE INSPECTION Article XI sets forth the plan for on-site inspections the Parties will conduct to assist in the verification of compliance with the Treaty. This Article provides for several different types of inspections, including "baseline" inspections (paragraph 3), "close-out" inspections (paragraph 4), "short-notice" inspections (paragraph 5), continuous "portal monitoring" inspections (paragraph 6), and "elimination" inspections (paragraphs 7 and 8). "Elimination" inspections conducted pursuant to paragraph 7 are the only on-site inspections that an Inspecting Party is obliged to carry out. All of the other types of inspections specified in this article are at the option of the Inspecting Party. Except for continuous portal monitoring, missile production facilities are not subject to any type of on-site inspection. This decision was made at the insistence of the United States for reasons of national security. Details concerning the procedures for each type of inspection are provided in the Protocol on Inspection. Paragraph 1 of Article XI provides that, for the purpose of facilitating verification of compliance with the Treaty, each Party has the right to conduct on-site inspections in accordance with this Article and the Protocols on Inspection and Elimination.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
2. Each Party shall have the right to conduct inspections provided for by this Article both within the territory of the other Party and within the territories of basing countries.	Paragraph 2 of Article XI provides that such inspections may take place within the territory of each Party and within the territories of the Basing Countries, i.e., Belguim, the Federal Republic of Germany, Italy, The Netherlands, the United Kingdom, the German Democratic Republic, and Czechoslovakia. The Basing Country Agreement between the United States and the five Allied Basing Countries (i.e., Belguim, the Federal Republic of Germany, Italy, The Netherlands, the United Kingdom) provides the consent of the Allied Basing Countries to have inspections conducted within their respective territories pursuant to Article XI and the Protocol on Inspection.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
3. Beginning 30 days after entry into force of this Treaty, each Party shall have the right to conduct inspections at all missile operating bases and missile support facilities specified in the Memorandum of Understanding other than missile production facilities, and at all elimination facilities included in the initial data update required by paragraph 3 of Article IX of this Treaty. These inspections shall be completed no later than 90 days after entry into force of this Treaty. The purpose of these inspections shall be to verify the number of missiles, launchers, support structures and support equipment and other data, as of the date of entry into force of this Treaty, provided pursuant to paragraph 3 of Article IX of this Treaty.	Paragraph 3 of Article XI sets forth the parameters of "baseline" inspections. These inspections are for the purpose of helping to verify the updated data exchanged pursuant to paragraph 3 of Article IX. Beginning 30 days after the entry into force of the Treaty, these inspections will afford each Party an opportunity to inspect all missile operating bases and missile support facilities (other than missile production facilities) specified in the MOU, as well as an opportunity to inspect all elimination facilities listed in the updated data. These inspections must be completed within 90 days after the entry into force of the Treaty. Thus, within 30 days after entry into force of the Treaty, the Parties will exchange updated data and, within 90 days after entry into force, conduct inspections to help verify the updated data. The procedures for a "baseline" inspection are set forth in Section VII of the Protocol on Inspection.	ARTICLE XI Paragraph 3 42. How do we reconcile the differences between the data presented in the Memorandum of Understanding and the update provided 30 days after entry into force? Do we have inspection rights to verify the cause for the differences?

Treaty	Executive Branch Article-By-Article Analysis	Questions
4. Each Party shall have the right to conduct inspections to verify the elimination, notified pursuant to paragraph 5(a) of Article IX of this Treaty, of missile operating bases and missile support facilities other than missile production facilities, which are thus no longer subject to inspections pursuant to paragraph 5(a) of this Article. Such an inspection shall be carried out within 60 days after the scheduled date of the elimination of that facility. If a Party conducts an inspection at a particular facility pursuant to paragraph 3 of this Article after the scheduled date of the elimination of that facility, then no additional inspection of that facility pursuant to this paragraph shall be permitted.	Paragraph 4 of Article XI provides for the "close-out" inspection of bases and facilities once they are declared to have been eliminated. It establishes the right to confirm by on-site inspection the elimination of missile operating bases and missile support facilities, except missile production facilities, for which notification of elimination was provided pursuant to subparagraph 5(a) of Article IX. "Close-out" inspections must be carried out within 60 days after the scheduled elimination date in order to confirm that such elimination did in fact take place. Once such bases and facilities are eliminated, they are, as former facilities, subject to the "short-notice" inspections provided for in subparagraph 5(b) of this Article rather than those provided for under subparagraph 5(a) of this Article. If a Party conducts an inspection pursuant to paragraph 3 of this Article (i.e., a "baseline" inspection) after the scheduled date of elimination of a particular facility, then no "close-out" inspection will be permitted. The procedures for a "close-out" inspection are set forth in Section VII of the Protocol on Inspection.	Paragraph 4 43. If a scheduled elimination date occurs during the period from 30 to 90 days after entry into force and the facility is inspected pursuant to paragraph 3 ("baseline" inspection) after the scheduled elimination date, does this paragraph preclude additional inspections even if the facility has not been eliminated? 44. Within the first 90 days after the Treaty enters into force, is a Party required to "declare" whether it is inspecting under paragraph 3 or paragraph 4? 45. Could a Party declare after the scheduled elimination date (if it is within the 30 to 90 day window) that it is conducting an inspection under paragraph 4, and then later inspect again under paragraph 3? 46. What will occur if a facility is not eliminated by the scheduled inspection date? 47. Is it clear that the closeout inspection can be rescheduled? If a "closeout" inspection reveals that the facility has in fact not been closed, will additional inspections be allowed using a new elimination date, even though this provision only allows one closeout inspection based on the scheduled date?

Treaty	Executive Branch Article-By-Article Analysis	Questions
5. Each Party shall have the right to conduct inspections pursuant to this paragraph for 13 years after entry into force of this Treaty. Each Party shall have the right to conduct 20 such inspections per calendar year during the first three years after entry into force of this Treaty, 15 such inspections per calendar year during the subsequent five years, and ten such inspections per calendar year during the last five years. Neither Party shall use more than half of its total number of these inspections per calendar year within the territory of any one basing country. Each Party shall have the right to conduct: (a) inspections, beginning 90 days after entry into force of this Treaty, of missile operating bases, and missile support facilities other than elimination facilities and missile production facilities, to ascertain, according to the categories of data specified in the Memorandum of Understanding, the numbers of missiles, launchers, support structures and support equipment located at each missile operating base or missile support facility at the time of the inspection; and (b) inspections of former missile operating bases and former missile support facilities eliminated pursuant to paragraph 8 of Article X of this Treaty other than former missile production facilities.	Paragraph 5 of Article XI provides each Party with the right to conduct two types of "short-notice" inspections for a period of 13 years after entry into force of the Treaty. Such inspections are referred to as "short-notice" because, like "baseline" and "close-out" inspections, they require that an inspection team be transported to the inspection site no later than nine hours after the inspection team specifies which particular site it wishes to inspect. The "short-notice" inspection differs from "baseline" and "close-out" inspections because it is based on a quota system and is available to the Parties for 13 years after the Treaty enters into force. The two types of "short-notice" inspections are: (a) beginning 90 days after entry into force of the Treaty, each Party has the right to inspect missile operating bases and missile support facilities other than elimination facilities and missile production facilities. The purpose of these inspections is to ascertain the numbers of missiles, launchers, support structures, and support equipment located at the missile operating base or missile support facility that is being inspected; and (b) each Party has the right to inspect former missile operating bases and missile support facilities eliminated pursuant to paragraph 8 of Article X of the Treaty, other than former missile production facilities. This inspection right includes former missile operating bases that, in accordance with paragraph 9 of Article X, has been converted for a use not limited by the Treaty after November 1, 1987. This inspection right is extended to such converted bases because they must nevertheless be eliminated pursuant to paragraph 8 of Article X. The Parties have the right to conduct a total of 20 of the inspections described in subparagraphs (a) and (b) above per calendar year during the first three years after entry into force of the Treaty, 15 such inspections per year during the subsequent five years, and ten such inspections per year during the last five years. Thus, each Party will have an opportunity to conduct up to 185 such inspections over the course of 13 years. Neither Party may use more than half of its total number of inspections per year within the territory of any one Basing Country. The procedures for a "short-notice" inspection are set forth in Section VII of the Protocol on Inspection.	Paragraph 5 40. Are facilities listed in the Memorandum of Understanding but not listed in the data exchange of Art IX(3) subject to inspection under this paragraph? If not, may the Soviets declare as many sites as possible eliminated prior to entry into force of the treaty, knowing that they are exempt from inspection?

Treaty	Executive Branch Article-By-Article Analysis	Questions
6. Beginning 30 days after entry into force of this Treaty, each Party shall have the right, for 13 years after entry into force of this Treaty, to inspect by means of continuous monitoring: (a) the portals of any facility of the other Party at which the final assembly of a GLBM using stages, any of which is outwardly similar to a stage of a solid-propellant GLBM listed in Article III of this Treaty, is accomplished; or (b) if a Party has no such facility, the portals of an agreed former missile production facility at which existing types of intermediate-range or shorter-range GLBMs were produced. The Party whose facility is to be inspected pursuant to this paragraph shall ensure that the other Party is able to establish a permanent continuous monitoring system at that facility within six months after entry into force of this Treaty or within six months of initiation of the process of final assembly described in subparagraph (a). If, after the end of the second year after entry into force of this Treaty, neither Party conducts the process of final assembly described in subparagraph (a) for a period of 12 consecutive months, then neither Party shall have the right to inspect by means of continuous monitoring any missile production facility of the other Party unless the process of final assembly as described in subparagraph (a) is initiated again. Upon entry into force of this Treaty, the facilities to be inspected by continuous monitoring shall be: in accordance with subparagraph (b), for the United States of America, Hercules Plant Number 1, at Magna, Utah; in accordance with subparagraph (a), for the Union of Soviet Socialist Republics, the Votkinsk Machine Building Plant, Udmurt Autonomous Soviet Socialist Republic, Russian Soviet Federative Socialist Republic.	Paragraph 6 of Article XI provides the Parties with certain continuous monitoring inspection rights for a period of up to 13 years after entry into force of the Treaty. These types of inspection are referred to as "portal monitoring." Each Party has the right to inspect by such portal monitoring: (a) the portal of any facility of the other Party at which the final assembly of GLBMs that use missile stages, any one of which is outwardly similar to a stage of an existing type of solid-propellant GLBM subject to the Treaty, is accomplished. Subparagraph (a) is necessary because of the close physical similarity between the first stage of the SS-25 ICBM and the first stage of the solid-propellant SS-20 intermediate-range GLBM; or (b) if a party has no facility of the type described in subparagraph (a) above, the portal of an agreed former missile production facility at which existing types of intermediate-range or shorter-range GLBMs were produced. The existing types of GLBMs are specified in Article III. The Party whose facility is to be inspected pursuant to paragraph 6 must ensure that the other Party is able to establish a permanent continuous portal monitoring system at that facility within six months after entry into force of the Treaty or within six months of initiation of the process of final assembly described in subparagraph (a) above. If, after the end of the second year after entry into force of the Treaty, a Party does not conduct the process of final assembly described in subparagraph (a) for a period of 12 consecutive months, then neither Party will have the right to inspect by means of continuous monitoring any missile production facility of the first Party unless the process of final assembly as described in subparagraph (a) is initiated again. Finally, paragraph 6 specifies that, upon entry into force of the Treaty, such facilities to be monitored are: for the United States, Hercules Plant #1, at Magna, Utah (as specified in the site diagram in the MOU), and, for the Soviet Union, the Votkinsk Machine Building Plant, Udmurt Autonomous Soviet Socialist Republic, Russian Soviet Federative Socialist Republic. Both stages of the Pershing II intermediate-range GLBM were produced at the plant at Magna, Utah, while the SS-25 ICBM and the SS-20 intermediate-range GLBM have been assembled at the plant at Votkinsk. Paragraph 6 further specifies that the plant at Magna, Utah, will be monitored in accordance with subparagraph (b) above, while the plant at Votkinsk will be monitored in accordance with subparagraph (a) above. The procedures for a "portal monitoring" inspection are set forth in Section IX of the Protocol on Inspection.	**Paragraph 6** 49. Does the term "able" mean that the inspected party shall do nothing to prevent the other from establishing the monitoring system at the facility, or does it mean that the inspected party will be responsible for technically aiding the inspecting party to establish the monitoring system? 50. Are "continuous" inspections limited to portals and not to the perimeters? 51. Can perimeters be continuously monitored? 52. If the Soviets terminate production at a facility for 12 months, will our inspectors be sent home? 53. If such a termination comes about, how would we verify that production had not been re-initiated?

Treaty	Executive Branch Article-By-Article Analysis	Questions
7. Each Party shall conduct inspections of the process of elimination, including elimination of intermediate-range missiles by means of launching, of intermediate-range and shorter-range missiles and launchers of such missiles and support equipment associated with such missiles and launchers carried out at elimination facilities in accordance with Article X of this Treaty and the Protocol on Elimination. Inspectors conducting inspections provided for in this paragraph shall determine that the processes specified for the elimination of the missiles, launchers and support equipment have been completed.	Paragraph 7 of Article XI requires the inspection of the process of elimination of intermediate-range and shorter-range missiles, launchers of such missiles, and associated support equipment to be carried out at elimination facilities in accordance with Article X of the Treaty and the Protocol on Elimination. Such inspections are required and include the obligation to inspect the elimination of intermediate-range missiles by means of launching. Inspections made pursuant to this paragraph are for the purpose of determining whether the specified elimination processes have, in fact, been carried out. As stated above, the "elimination" inspections provided for in paragraph 7 are the only required on-site inspections specified in Article XI. Such "elimination" inspections are required in order to help ensure agreement between the Parties concerning the elimination of items and the status of the inventory of items subject to the Treaty. The procedures for an inspection pursuant to paragraph 7 are set forth in Section VIII of the Protocol on Inspection.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
8. Each Party shall have the right to conduct inspections to confirm the completion of the process of elimination of intermediate-range and shorter-range missiles and launchers of such missiles and support equipment associated with such missiles and launchers eliminated pursuant to Section V of the Protocol on Elimination, and of training missiles, training missile stages, training launch canisters and training launchers eliminated pursuant to Sections II, IV and V of the Protocol on Elimination.	Paragraph 8 of Article XI establishes the right of the Parties to conduct inspections to confirm the completion of the process of elimination of items that are eliminated pursuant to Section V of the Protocol on Elimination. Section V of the Protocol on Elimination sets forth the procedures for elimination by loss or accidental destruction as well as by static display. Paragraph 8 also establishes the right of the Parties to confirm the completion of the process of elimination of training missiles, training missile stages, training launch canisters, and training launchers that se eliminated pursuant to Section II, IV, and V of that Protocol. The procedures for an inspection pursuant to paragraph 8 are set forth in Section VIII of the Protocol on Inspection.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
Article XII 1. For the purpose of ensuring verification of compliance with the provisions of this Treaty, each Party shall use national technical means of verification at its disposal in a manner consistent with generally recognized principles of international law.	**ARTICLE XII—NATIONAL TECHNICAL MEANS OF VERIFICATION** Paragraph 1 of Article XII states that, to help ensure compliance with the treaty, each Party will use the national technical means of verification at its disposal in a manner consistent with generally recognized principles of international law. National technical means include a broad range of systems for collecting intelligence. Such systems include reconnaissance satellites, ships and aircraft that are used to monitor Soviet missile tests, and ground stations, such as the United States large phased-array radar on Shemya Island in Alaska.	**ARTICLE XII** **Paragraph 1** 54. Does our understanding of "generally recognized principles of international law" differ from that of the Soviets?

Treaty	Executive Branch Article-By-Article Analysis	Questions
2. Neither Party shall: (a) interfere with national technical means of verification of the other Party operating in accordance with paragraph 1 of this Article; or (b) use concealment measures which impede verification of compliance with the provisions of this Treaty by national technical means of verification carried out in accordance with paragraph 1 of this Article. This obligation does not apply to cover or concealment practices, within a deployment area, associated with normal training, maintenance and operations, including the use of environmental shelters to protect missiles and launchers.	In subparagraph (a) of paragraph 2, the Parties state their commitment not to interfere with the national technical means of verification of the other Party operating in accordance with paragraph 1 of this Article. In subparagraph (b) of paragraph 2, the Parties are prohibited from using any concealment measures that impede verification by national technical means of compliance with the Treaty. This provision is broader than similar provisions in earlier U.S.-Soviet arms control agreements, which merely prohibited *deliberate* concealment measures. This prohibition does not apply to cover or concealment practices that both occur within a deployment area and are associated with normal training, maintenance, and operations, including the use of environmental shelters to protect missiles and launchers.	Paragraph 2 55. Is interference with National Technical Means permitted for "normal" training, maintenance and operations? What is "concealment?" How does that differ from "cover?" What other than environmental shelters is included in the term "cover or concealment practices..?" 56. How is the term "normal" defined? Do "normal" operations include any activity which might otherwise be prohibited by the treaty? If so, what are they? 57. Does the exemption for "normal" training, maintenance, and operations legitimize Soviet camouflage, concealment and deception? 58. How is this provision different from the SALT I and II prohibitions against "deliberate" interference with National Technical Means of verification? 59. Does this provision ban any interference with intelligence satellites, or other intelligence gathering means, of the other Party at any time? 60. Even if all sides agree that the provision only applies when the NTM are operating for the purpose of verifying compliance, how does one determine when a system is operating under the provisions of this Treaty as opposed to conducting another mission? 61. If ground based lasers are used to damage or destroy satellite sensors, does this constitute a violation of the Treaty, since they are interfering with National Technical Means of verification?

Treaty	Executive Branch Article-By-Article Analysis	Questions
3 To enhance observation by national technical means of verification, each Party shall have the right until a treaty between the Parties reducing and limiting strategic offensive arms enters into force, but in any event for no more than three years after entry into force of this Treaty, to request the implementation of cooperative measures at deployment bases for road-mobile GLBMs with a range capability in excess of 5500 kilometers, which are not former missile operating bases eliminated pursuant to paragraph 8 of Article X of this Treaty The Party making such a request shall inform the other Party of the deployment base at which cooperative measures shall be implemented The Party whose base is to be observed shall carry out the following cooperative measures (a) No later than six hours after such a request, the Party shall have opened the roofs of all fixed structures for launchers located at the base, removed completely all missiles on launchers from such fixed structures for launchers and displayed such missiles on launchers in the open without using concealment measures, and (b) The Party shall leave the roofs open and the missiles on launchers in place until twelve hours have elapsed from the time of the receipt of a request for such an observation Each Party shall have the right to make six such requests per calendar year Only one deployment base shall be subject to these cooperative measures at any one time	Paragraph 3 of Article XII provides a unique measure to enhance observation by national technical means of verification It establishes the right of each Party to request, and the obligation of the other Party to carry out, certain cooperative measures to improve verification by reconnaissance satellites This right will exist until either a strategic offensive arms reduction and limitation agreement enters into force between the Parties or three years after entry into force of the Treaty, whichever occurs first. The cooperative measures relate to deployment bases for road-mobile GLBMs capable of a range in excess of 5500 kilometers (and thus not limited by the Treaty), which are not former missile operating bases eliminated pursuant to paragraph 8 of Article X and subsequently converted pursuant to paragraph 9 of Article X. The Party making a request for cooperative measures must inform the other Party of the deployment base at which such measures shall be implemented The following measures must be carried out by the Party whose base is to be observed: (a) not later than six hours after a request, the Party must have opened the roofs of all fixed structures for launchers located at the base, must have completely removed all missiles on launchers from such fixed structures, and must have displayed such missiles on launchers in the open without using concealment measures; and (b) the Party must leave the roofs open and the missiles on launchers in place until 12 hours after receipt of a request for such an observation Paragraph 3 further provides that each Party may make six such requests for cooperative measures per calendar year, and that only one deployment base may be subject to such cooperative measures at any one time Paragraph 3 is designed to help verify that mobile SS-20 intermediate-range missiles are not covertly deployed at bases for mobile SS-25 ICBMs Under the terms of the Treaty, SS-25 bases that were not formerly declared SS-20 bases are not subject to on-site inspection SS-25 bases that were formerly declared SS-20 bases will be subject to on-site inspection The United States currently does not have bases that would be affected by this provision	Paragraph 3 62. What is to be displayed for satellite inspection, the missiles or the canisters? If only canisters are to be displayed, how does one know that the canisters contain an SS-25 and not an SS-20? Can we tell the difference if only the canisters are displayed? 63. How is the term "at any one time" interpreted? Does it mean that only one deployment base will be subject to inspection at any instant of time, or could it mean that no two deployment bases will be subject to inspection for the *identical* six hour period? Could two inspections be conducted, for example, with the second one beginning five minutes after the beginning of the first, so that for five hours and 55 minutes two sites can be simultaneously inspected?

Treaty	Executive Branch Article-By-Article Analysis	Questions
Article XIII 1. To promote the objectives and implementation of the provisions of this Treaty, the Parties hereby establish the Special Verification Commission. The Parties agree that, if either Party so requests, they shall meet within the framework of the Special Verification Commission to: (a) resolve questions relating to compliance with the obligations assumed; and (b) agree upon such measures as may be necessary to improve the viability and effectiveness of this Treaty.	ARTICLE XIII—SPECIAL VERIFICATION COMMISSION Paragraph 1 of Article XIII provides that, in order to promote the objectives and implementation of the provisions of the Treaty, the Parties have established the Special Verification Commission. At the request of either Party, the Parties will meet, within the framework of that Commission, to: (a) resolve questions relating to compliance with the obligations assumed under the Treaty, and (b) agree upon such measures as may be necessary to improve the viability and effectiveness of the Treaty.	ARTICLE XIII Paragraph 1 64. In subparagraph (b) are the additional measures "to improve the viability and effectiveness" of the Treaty subject to ratification in accordance with the constitutional procedures of each Party?

Treaty	Executive Branch Article-By-Article Analysis	Questions
2. The Parties shall use the Nuclear Risk Reduction Centers, which provide for continuous communication between the Parties, to: (a) exchange data and provide notifications as required by paragraphs 3, 4, 5 and 6 of Article IX of this Treaty and the Protocol on Elimination; (b) provide and receive the information required by paragraph 9 of Article X of this Treaty; (c) provide and receive notifications of inspections as required by Article XI of this Treaty and the Protocol on Inspection; and (d) provide and receive requests for cooperative measures as provided for in paragraph 3 of Article XII of this Treaty.	Paragraph 2 of Article XIII provides that the Nuclear Risk Reduction Centers be used by the Parties to: (a) exchange data and provide notifications (as required by paragraphs 3, 4, 5, and 6 of Article IX of the Treaty and the Protocol on Elimination); (b) provide and receive the information required by paragraph 9 of Article X of the Treaty (relating to the conversion of a missile operating base); (c) provide and receive notifications of inspections as required by Article XI of the Treaty and the Protocol on Inspection; and (d) provide and receive requests for cooperative measures as provided for in paragraph 3 of Article XII of the Treaty.	

Treaty	Executive Branch Article-By-Article Analysis	Questions
Article XIV The Parties shall comply with this Treaty and shall not assume any international obligations or undertakings which would conflict with its provisions	ARTICLE XIV—NO CONFLICTING OBLIGATIONS Article XIV records the Parties' undertaking to comply with the Treaty and not to assume any international obligations or undertakings that would conflict with the provisions of the Treaty. This provision thus reflects the duty of each Party under customary international law to comply with the Treaty (i.e., *pacta sunt servanda*). This provision does not impose any additional obligation on the Parties, nor does it broaden the interpretation of other obligations in the Treaty. This provision refers only to the assumption of obligations in the future, and existing agreements are therefore unaffected. Article XIV will not affect existing patterns of defense collaboration or cooperation with our Allies. Nor with this provision preclude cooperation with our Allies in modernization.	ARTICLE XIV 65. This provision differs from the related provision in SALT II in that it adds the word "undertakings" and refers to the "provisions" rather than the "treaty". What is the explanation for the differences? 66. What is the difference, if any, between the requirement to "comply with this Treaty" and the requirement to "not assume any international obligations or undertakings which would conflict with its provisions"? 67. What is the difference, if any, between "obligations" and "undertakings"? 68. If there is no difference, why are two dissimilar words used to mean the same thing? 69. Should we read the Article as applying to "international obligations" and international "undertakings" or does it only refer to "international obligations" and any other "undertakings" (i.e., purely unilateral or domestic actions)? 70. In requiring that the Parties not "assume" certain international obligations or undertakings, was the word "assume" used to connote some sort of formality between nations in the undertaking? If so, what sort of formality do we and the Soviets intend to be required to amount to assuming an obligation or assuming an undertaking? 71. If so, are any unilateral actions within the scope of Article XIV? 72. The Article-by-Article Analysis states that "This provision does not impose any additional obligation on the Parties, nor does it broaden the interpretation of other obligations in the Treaty." Do the Soviets agree with this? 73. Does the prohibition in Article XIV include the words in the Preamble as well as the body of the Treaty? If so, is anything prohibited by the Preamble that is not otherwise prohibited in the body of the treaty? 74. What specific obligations, undertakings, or other activities did the Soviets seek to prohibit in their proposals for Article XIV? 75. Are any of these matters prohibited under the Treaty? 76. Does Article XIV add anything to the Treaty in terms of prohibiting any obligation, undertaking, or other action (either unilateral or cooperative) that is not otherwise prohibited in the Treaty? 77. Does Article XIV prevent either party from replacing eliminated systems with other systems (either current, modernized, or futuristic) that are not otherwise prohibited by the Treaty (e.g., systems that are air-launched, sea-launched, ground-launched but tested outside the prohibited ranges, or ground launched systems designed for surveillance but capable of carrying weapons)? 78. The Article-by-Article Analysis notes that this provision "reflects the duty of each Party under customary international law to comply with the Treaty." In view of the well-established nature of this duty under international law, why was it necessary to add it to the Treaty?

Treaty	Executive Branch Article-By-Article Analysis	Questions
		79. The Article-by-Article Analysis states that this provision "refers only to the assumption of obligations in the future, and existing agreements are therefore unaffected." (Emphasis added.) The Analysis also states that this provision "will not affect existing patterns of defense collaboration or cooperation with our allies." The Treaty refers to both "obligations" and "undertakings". Does Article XIV preclude future "undertakings" under existing "obligations?"
		80. If assistance to the allies is challenged as a violation of the Treaty, will it be necessary for the U.S. to not only prove that such undertakings are authorized by an existing agreement, but are also part of "existing patterns of defense collaboration"?
		81. In light of the Article-by-Article Analysis, does the implied prohibition on future agreements prevent us from modifying existing agreements or entering into new agreements that replace existing agreements?
		82. The Article-by-Article Analysis states that this provision will not "preclude cooperation with our allies in modernization." Are any actions contemplated by the Montebello agreement prohibited?
		83. Do we have Soviet agreement on this point, particularly in light of Soviet Foreign Minister Shevardnadze's statement on January 19, 1988 that new nuclear deployments "cannot be allowed"?
		84. With respect to U.S. cooperation with NATO on the Modular Stand Off Weapon, does the Treaty prohibit sharing guidance system technology or hardware with NATO on this project which could be used by NATO to perfect a ground-launched cruise missile with a range in excess of 500 kilometers?
		85. Does the Treaty apply to any aspect of U.S.-British cooperation in the Trident SLBM project?
		86. May we assist with future modernization programs that differ from existing patterns of collaboration?
		87. Does this mean that we can assist our allies in modernizing systems or components that are otherwise prohibited by the treaty?
		88. Is there anything in the Treaty that prohibits either Party from research, test, development, and production of a prohibited system for the purpose of giving it to any ally for the allies' deployment?
		89. What restrictions, if any, does Article XIV place on our ability to assist the British and French -- or any other nation -- with their nuclear forces at any stage in the procurement lifecycle (i.e., from concept exploration through deployment)?
		90. What about Soviet assistance to the Warsaw bloc nations?
		91. During a February 3 appearance before the Armed Services Committee, Admiral Trost testified with respect to Article XIV that "we do feel bound not to introduce forces which are covered by this Treaty." Does the phrase "not to introduce forces" refer in any way to provision of information or equipment to our allies?
		92. Do we have any existing research programs, either government funded or under study within the U.S., that would be restricted by this Article?

Treaty	Executive Branch Article-By-Article Analysis	Questions
Article XV 1. This Treaty shall be of unlimited duration. 2. Each Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests. It shall give notice of its decision to withdraw to the other Party six months prior to withdrawal from this Treaty. Such notice shall include a statement of the extraordinary events the notifying Party regards as having jeopardized its supreme interests.	**ARTICLE XV—DURATION AND WITHDRAWAL** Paragraph 1 of Article XV provides that the Treaty is of unlimited duration. The Treaty is of unlimited duration because it eliminates two entire classes of weapon-delivery systems, rather than merely place limitations on them for a specified period of time. Paragraph 2 of Article XV contains the "supreme interests" withdrawal clause that is a standard provision in most modern arms control agreements. It establishes the right of a Party to withdraw from the Treaty if it concludes that extraordinary events related to the subject matter of the Treaty have jeopardized its supreme interests. Withdrawal under this provision requires a six-month advance notification and a statement of the extraordinary events that the notifying Party regards as having jeopardized its supreme interests. This right of withdrawal is in addition to any other rights a Party has under customary international law regarding termination or suspension of the Treaty, including its rights in the event of a material breach of the Treaty.	**ARTICLE XV** 93. Does the Treaty require either party to resort to the SVC provisions of Article XIII prior to giving notice of the decision to withdraw under Article XV? 94. The Analysis states that the "right of withdrawal is in addition to any other rights a Party has under customary international law regarding termination or suspension of the Treaty, including its rights in the event of a material breach of a Treaty." Does the term "termination or suspension" include proportional response? What other actions, aside from resort to the SVC under Article XIII or "termination or suspension," may be taken in response to a violation? 95. Are there exceptions under international law to the notice and wait provisions of Article XV which would permit a Party to withdraw from or terminate its obligations under the INF Treaty before the six month period elapses (e.g., as expressed in Article 62 of the Vienna Convention on the Law of Treaties, setting forth conditions under which a fundamental change in circumstances may be invoked as a ground for withdrawal or termination)?

Treaty	Executive Branch Article-By-Article Analysis	Questions
Article XVI Each Party may propose amendments to this Treaty. Agreed amendments shall enter into force in accordance with the procedures set forth in Article XVII governing the entry into force of this Treaty.	ARTICLE XVI—AMENDMENTS Article XVI provides that each Party may propose amendments to the Treaty and that any agreed amendments will enter into force in accordance with the procedures set forth in Article XVII governing the entry into force of the Treaty. In this regard, it should be noted that the Protocols on Elimination and Inspection provide that technical changes to those Protocols necessary to improve their viability and effectiveness shall not be considered amendments to the Treaty.	ARTICLE XVI 96. Is the advice and consent of the Senate required for amendments under Article XVI? 97. What is the difference between amendments under Article XVI and agreements in the SVC "to improve the viability and effectiveness of this Treaty"? 98. Can agreements in the SVC be used to give the Treaty a meaning that is contrary to or inconsistent with the meaning of the Treaty as presented to the Senate? 99. Will agreements in the SVC be reported to the Congress under the Case Act? 100. The Analysis notes that "the Protocols on Elimination and Inspection provide that technical changes to those Protocols necessary to improve their viability and effectiveness shall not be considered amendments to the Treaty". Although the Analysis refers to "technical changes", the Protocols refer to "such measures as may be necessary to improve the viability and effectiveness" of the Protocols. Please identify all aspects of the Protocols that are subject to change without the advice and consent of the Senate. 101. With respect to those aspects of the Protocols not considered to be technical, can the Executive Branch, without the approval of the Senate, amend the Protocols in a manner contrary to or inconsistent with meaning of the Protocols as presented to the Senate? 102. Will such changes be considered Executive Agreements reportable to the Congress under the Case Act? 103. Can the protocol amendment procedure be used to alter any provisions in the basic Treaty? 104. Can the protocol amendment procedure be used, without the approval of the Senate, to adopt a meaning for any provision of the Treaty that is contrary to or inconsistent with the meaning of that provision or any other provision of the Treaty as presented to the Senate?

Treaty	Executive Branch Article-By-Article Analysis	Questions
Article XVII 1. This Treaty, including the Memorandum of Understanding and Protocols, which form an integral part thereof, shall be subject to ratification in accordance with the constitutional procedures of each Party. This Treaty shall enter into force on the date of the exchange of instruments of ratification. 2. This Treaty shall be registered pursuant to Article 102 of the Charter of the United Nations	ARTICLE XVII—ENTRY INTO FORCE Paragraph 1 of Article XVII provides that the Treaty, including the MOU and the two Protocols (which are integral parts of the Treaty), is subject to ratification in accordance with the constitutional procedures of each Party and will enter into force on the date of the exchange of instruments of ratification. Paragraph 2 of Article XVII states that the Treaty will be registered with the United Nations pursuant to Article 102 of the United Nations Charter.	
DONE at Washington on December 8, 1987, in two copies, each in the English and Russian languages, both texts being equally authentic	FINAL PROVISIONS The final paragraph of the Treaty records that the Treaty was done at Washington on December 8, 1987, in two copies, each in the English and Russian languages, both texts being equally authentic.	

Memorandum of Understanding Regarding the Establishment of the Data Base for the Treaty Between the Union of Soviet Socialist Republics and the United States of America on the Elimination of Their Intermediate-Range and Shorter-Range Missiles

MOU	Executive Branch Article-by-Article Analysis	Questions
Pursuant to and in implementation of the Treaty Between the Union of Soviet Socialist Republics and the United States of America on the Elimination of Their Intermediate-Range and Shorter-Range Missiles of December 8, 1987, hereinafter referred to as the Treaty, the Parties have exchanged data current as of November 1, 1987, on intermediate-range and shorter-range missiles and launchers of such missiles and support structures and support equipment associated with such missiles and launchers. **I. Definitions** For the purposes of this Memorandum of Understanding, the Treaty, the Protocol on Elimination and the Protocol on Inspection: 1. The term "missile production facility" means a facility for the assembly or production of solid-propellant intermediate-range or shorter-range GLBMs, or existing types of GLCMs.	THE PREAMBLE The Preamble states that, pursuant to and in implementation of the Treaty, the Parties have exchanged data, current as of November 1, 1987, on intermediate-range and shorter-range missiles and their launchers, as well as on support structures and support equipment associated with those missiles and launchers. SECTION I—DEFINITIONS Section I sets forth the definitions of certain terms used in the MOU, the Treaty, the Protocol on Elimination, and the Protocol on Inspection. Section I provides definitions for the following terms: (1) missile production facility, (2) missile repair facility, (3) launcher production facility, (4) launcher repair facility, (5) test range, (6) training facility, (7) missile storage facility, (8) launcher storage facility, (9) elimination facility, (10) support equipment, (11) support structure, and (12) research and development launch site. Each of these terms represents a type of facility, structure, or site that is referred to in the MOU. Paragraph 1 of Section I defines a "missile production facility" as a facility for the assembly or production of solid-propellant intermediate-range or shorter-range GLBMs, or existing types of GLCMs. Production of missiles subject to the Treaty is prohibited by paragraph 1 of Article VI of the Treaty. In accordance with paragraph 6 of Article VIII, missiles subject to the Treaty or stages of such missiles may not be located at missile production facilities 30 days after the entry into force of the Treaty. Pursuant to paragraph 9 of Article II of the Treaty, a missile production facility is considered to be a "missile support facility" for purposes of the Treaty. All missile support facilities must be eliminated pursuant to paragraph 8 of Article X. Missile production facilities are not subject to inspections except—in certain cases—for continuous portal monitoring pursuant to paragraph 6 of Article XI.	

MOU	Executive Branch Article-by-Article Analysis	Questions
2. The term "missile repair facility" means a facility at which repair or maintenance of intermediate-range or shorter-range missiles takes place other than inspection and maintenance conducted at a missile operating base	Paragraph 2 of Section I defines a "missile repair facility" as a facility at which repair or maintenance of intermediate-range or shorter-range missiles takes place, other than inspection and maintenance conducted at a missile operating base. This definition is necessary because missiles undergoing repair are nevertheless subject to the limitations of the Treaty. Pursuant to paragraph 9 of Article II of the Treaty, a missile repair facility is considered to be a "missile support facility" for purposes of the Treaty. All missile support facilities must be eliminated pursuant to paragraph 8 of Article X. Missile repair facilities are subject to "baseline," "close-out," and "short-notice" inspections pursuant to paragraphs 3, 4, and 5, respectively, of Article XI.	

MOU	Executive Branch Article-by-Article Analysis	Questions
3. The term "launcher production facility" means a facility for final assembly of launchers of intermediate-range or shorter-range missiles.	Paragraph 3 of Section I defines a "launcher production facility" as a facility for final assembly of launchers of intermediate-range or shorter-range missiles. This paragraph is the corollary of paragraph 1 of this Section, except that it defines production facilities for launchers rather than for missiles. Production of launchers subject to the Treaty is prohibited by paragraph 1 of Article VI of the Treaty. In accordance with paragraph 6 of Article VIII, launchers may not be located at launcher production facilities 30 days after entry into force of the Treaty. Pursuant to paragraph 9 of Article II of the Treaty, a launcher production facility is considered to be a "missile support facility" for purposes of the Treaty. All missile support facilities must be eliminated pursuant to paragraph 8 of Article X. Launcher production facilities are subject to "baseline," "close-out," and "short-notice" inspections pursuant to paragraphs 3, 4, and 5, respectively, of Article XI.	

MOU	Executive Branch Article-by-Article Analysis	Questions
4. The term "launcher repair facility" means a facility at which repair or maintenance of launchers of intermediate-range or shorter-range missiles takes place other than inspection and maintenance conducted at a missile operating base.	Paragraph 4 of Section I defines a "launcher repair facility" as a facility at which repair or maintenance of launchers of intermediate-range or shorter-range missiles takes place. The definition excludes a missile operating base in which inspection and maintenance is conducted. This paragraph is a corollary to paragraph 2 of this Section. Pursuant to paragraph 9 of Article II of the Treaty, a missile repair facility is considered to be a "missile support facility" for purposes of the Treaty. All missile support facilities must be eliminated pursuant to paragraph 8 of Article X. Launcher repair facilities are subject to "baseline," "close-out," and "short-notice" inspections pursuant to paragraphs 3, 4, and 5, respectively, of Article XI.	

MOU	Executive Branch Article-by-Article Analysis	Questions
5. The term "test range" means an area at which flight-testing of intermediate-range or shorter range missiles takes place.	Paragraph 5 of Section I defines a "test range" as an area at which flight-testing of an intermediate-range or shorter-range missile takes place. Flight-testing of missiles subject to the Treaty is prohibited by paragraph 1 of Article VI of the Treaty. In accordance with paragraph 6 of Article VIII, missiles and launchers subject to the Treaty may not be located at test ranges 30 days after entry into force of the Treaty. Pursuant to paragraph 9 of Article II of the Treaty, a test range is considered to be a "missile support facility" for purposes of the Treaty. All missile support facilities must be eliminated pursuant to paragraph 8 of Article X. Test ranges are subject to "baseline," "close-out," and "short-notice" inspections pursuant to paragraphs 3, 4, and 5, respectively, of Article XI.	

MOU	Executive Branch Article-by-Article Analysis	Questions
6. The term "training facility" means a facility, not at a missile operating base, at which personnel are trained in the use of intermediate-range or shorter-range missiles or launchers of such missiles and at which launchers of such missiles are located.	Paragraph 6 of Section I defines a "training facility" as a facility, not located in a missile operating base, at which personnel are trained in the use of intermediate-range or shorter-range missiles or launchers of such missiles and at which launchers of such missiles are located. Pursuant to paragraph 9 of Article II, a training facility is considered to be a "missile support facility" for purposes of the Treaty. Pursuant to paragraph 7 of Article VIII of the Treaty, neither Party shall locate intermediate-range or shorter-range missiles at training facilities. All missile support facilities must be eliminated pursuant to paragraph 8 of Article X. Training facilities are subject to "baseline," "close-out," and "short-notice" inspections pursuant to paragraphs 3, 4, and 5, respectively, of Article XI.	

MOU	Executive Branch Article-by-Article Analysis	Questions
7. The term "missile storage facility" means a facility, not at a missile operating base, at which intermediate-range or shorter-range missiles or stages of such missiles are stored.	Paragraph 7 of Section I defines a "missile storage facility" as a facility at which intermediate-range or shorter-range missiles, or stages of such missiles, are stored. The definition excludes any such facility located at a missile operating base. Pursuant to paragraph 9 of Article II of the Treaty, missile storage facilities are considered to be "missile support facilities." All missile support facilities must be eliminated pursuant to paragraph 8 of Article X. Missile storage facilities are subject to "baseline," "close-out," and "short-notice" inspections pursuant to paragraphs 3, 4, and 5, respectively, of Article XI.	

MOU	Executive Branch Article-by-Article Analysis	Questions
8. The term "launcher storage facility" means a facility, not at a missile operating base, at which launchers of intermediate-range or shorter-range missiles are stored.	Paragraph 8 of Section I defines a "launcher storage facility" as a facility at which launchers of intermediate-range or shorter-range missiles are stored. The definition excludes any such facility located at a missile operating base. Pursuant to paragraph 9 of Article II of the Treaty, launcher storage facilities are considered to be "missile support facilities." All missile support facilities must be eliminated pursuant to paragraph 8 of of Article X. Launcher storage facilities are subject to "baseline," "close-out," and "short-notice" inspections pursuant to paragraphs 3, 4, and 5, respectively, of Article XI.	

MOU	Executive Branch Article-by-Article Analysis	Questions
9. The term "elimination facility" means a facility at which intermediate-range or shorter-range missiles, missile stages and launchers of such missiles or support equipment associated with such missiles or launchers are eliminated.	Paragraph 9 of Section I defines an "elimination facility" as a facility at which intermediate-range or shorter-range missiles, missile stages and launchers of such missiles, or support equipment associated with such missiles of launchers are eliminated. Pursuant to paragraph 9 of Article II of the Teaty, elimination facilities are considered to be "missile support facilities." Moreover, pursuant to paragraph 5 of Article VIII of the Treaty, a Party may increase the number of, or change the location of, its elimination facilities. This is allowed to assist the Parties in the elimination of items within Treaty time frames. Notice of any such change must be given 30 days in advance, pursuant to subparagraph 5(b) of Article IX of the Treaty. All missile support facilities must be eliminated pursuant to paragraph 8 of Article X. Elimination facilities are subject to "baseline" and "close-out" inspections pursuant to paragraphs 3 and 4, respectively, or Article XI. Also, former elimination facilities are subject to "short-notice" inspections pursuant to subparagraph 5(b) of Article XI.	

MOU	Executive Branch Article-by-Article Analysis	Questions
10. The term "support equipment" means unique vehicles and mobile or transportable equipment that support a deployed intermediate-range or shorter-range missile or a launcher of such a missile. Support equipment shall include full-scale inert training missiles, full-scale inert training missile stages, full-scale inert training launch canisters, and training launchers not capable of launching a missile. A listing of such support equipment associated with each existing type of missile, and launchers of such missiles, except for training equipment, is contained in Section VI of this Memorandum of Understanding.	Paragraph 10 of Section I defines "support equipment" as unique vehicles and mobile or transportable equipment used to support a deployed intermediate-range or shorter-range missile or a launcher of such a missile. Full-scale inert training missiles, full-scale inert training missile stages, full-scale inert training launcher canisters, and training launchers not capable to launching a missile are also included in this definition. Paragraph 10 notes that a listing of such support equipment associated with each existing type of missile, and launcher thereof, except for training equipment, is contained in Section VI of the MOU. Pursuant to paragraph 1 of Article IV and paragraph 1 of Article V of the Treaty, support equipment must be eliminated during the same period as is set for the elimination of intermediate range and shorter range missiles, respectively. Pursuant to paragraph 1 of Article X, such equipment must be eliminated in accordance with procedures established by the Protocol on Elimination.	

MOU	Executive Branch Article-by-Article Analysis	Questions
11. The term "support structure" means a unique fixed structure used to support deployed intermediate-range missiles or launchers of such missiles. A listing of such support structures associated with each existing type of missile, and launchers of such missiles, except for training equipment, is contained in Section VI of this Memorandum of Understanding.	Paragraph 11 of Section I defines "support structure" as a unique fixed structure used to support deployed intermediate-range missiles or launchers of such missiles. As in paragraph 10, this paragraph notes that a listing of such support structures is contained in Section VI of the MOU. Pursuant to paragraph 1 of Article IV of the Treaty, support structures must be eliminated during the same period as is set for the elimination of intermediate-range missiles, which is three years after the entry into force of the Treaty. Pursuant to paragraph 1 of Article X of the Treaty, such structures must be eliminated in accordance with procedures established by the Protocol on Elimination.	MEMORANDUM OF UNDERSTANDING Paragraph I (11) 106. How is a "fixed" structure for a launcher defined? Does this eliminate certain structures from inspection because the Soviets might consider a structure that can be disassembled and moved (e.g., modular construction) not a "fixed" structure? What if some of the structures have movable roofs? Are they subject to inspection?

MOU	Executive Branch Article-by-Article Analysis	Questions
12. The term "research and development launch site" means a facility at which research and development booster systems are launched	Paragraph 12 of Section I defines a "research and development lanuch site" as a facility at which research and development booster systems are launched. Such booster systems are permitted by paragraph 12 of Article VII of the Treaty. Research and development launch sites are listed in Section VII of the MOU.	

Protocol
on Procedures Governing the Elimination of the Missile Systems Subject to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
Pursuant to and in implementation of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles of December 8, 1987, hereinafter referred to as the Treaty, the Parties hereby agree upon procedures governing the elimination of the missile systems subject to the Treaty	STRUCTURE AND OVERVIEW OF THE PROTOCOL The Protocol on Elimination (the Protocol) consists of a Preamble and five Sections. The Protocol sets forth the detailed procedures for the elimination of items subject to the Treaty as required by Articles IV, V, and X of the Treaty. The Protocol is notable in that, unlike past arms control agreements, it specifies procedures for eliminating each type of missile system item-by-item (e.g., the SS-20 GLBM), rather than establishing a single elimination procedure for an entire class of items subject to elimination (e.g., GLBMs). For example, in the case of the class of intermediate-range GLBMs, specific and separate elimination procedures are provided for the Pershing II, SS-20, SS-4, and SS-5 missile systems. Furthermore, in the case of the Soviet SS-20 intermediate-range GLBM, for instance, specific and separate procedures are set forth for elimination of the SS-20 missile, its launch canister, its launcher, its missile transporter vehicle, and the fixed structure for its launcher. Each item is required to be eliminated in a specified manner that will help to ensure that it can never again serve the purposes for which it was originally intended. PREAMBLE In the Preamble, the Parties state that, pursuant to and in implementation of the Treaty, they have agreed upon procedures governing the elimination of the missile systems subject to the Treaty.	

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
I. Items of Missile Systems Subject to Elimination The specific items for each type of missile system to be eliminated are: 1. For the United States of America: Pershing II: missile, launcher and launch pad shelter; BGM-109G: missile, launch canister and launcher; Pershing IA: missile and launcher; and Pershing IB: missile. 2. For the Union of Soviet Socialist Republics: SS-20: missile, launch canister, launcher, missile transporter vehicle and fixed structure for a launcher; SS-4: missile, missile transporter vehicle, missile erector, launch stand and propellant tanks; SS-5: missile; SSC-X-4: missile, launch canister and launcher; SS-12: missile, launcher and missile transporter vehicle; and SS-23: missile, launcher and missile transporter vehicle. 3. For both Parties, all training missiles, training missile stages, training launch canisters and training launchers shall be subject to elimination. 4. For both Parties, all stages of intermediate-range and shorter-range GLBMs shall be subject to elimination. 5. For both Parties, all front sections of deployed intermediate-range and shorter-range missiles shall be subject to elimination.	SECTION I—ITEMS OF MISSILE SYSTEMS SUBJECT TO ELIMINATION Section I lists the specific items for each type of missile system that must be eliminated. For the United States, the specific items for each missile system to be eliminated are: for the Pershing II intermediate-range GLBM: missile, launcher, and launch pad shelter; for the BGM-109G intermediate-range GLCM: missile, launch canister, and launcher; for the Pershing IA shorter-range GLBM: missile and launcher; and, for the Pershing IB shorter-range GLBM: missile. For the Soviet Union, the specific items of each missile system to be eliminated are: for the SS-20 intermediate-range GLBM: missile, launch canister, launcer, missile transporter vehicle, and fixed structure for a launcher; for the SS-5 intermediate-range GLBM: missile, missile transporter vehicle, missile erector, launch stand, and propellant tanks; for the SS-5 intermediate-range GLBM: missile; for the SSC-X-4 intermediate-range GLCM: missile, launch canister, and launcher; for the SS-12 shorter-range GLBM: missile, launcher, and missile transporter vehicle; and, for the SS-23 shorter-range GLBM: missile, launcher, and missile transporter vehicle. Also, for both Parties, all training missiles, training missile stages, training launch, canisters, and training launchers, as well as all stages of intermediate-range and shorter-range GLBMs and all front sections of deployed intermediate-range and shorter-range missiles, must be eliminated.	PROTOCOL ON ELIMINATION Section I 106. Does this mean that the Soviets are permitted to keep SS-5 silos intact? If there are no more SS-5 missiles, what purposes can these silos serve. Are these silos parts of the systems prohibited by Article I?

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
II. Procedures for Elimination at Elimination Facilities 1. In order to ensure the reliable determination of the type and number of missiles, missile stages, front sections, launch canisters, launchers, missile transporter vehicles, missile erectors and launch stands, as well as training missiles, training missile stages, training launch canisters and training launchers, indicated in Section I of this Protocol, being eliminated at elimination facilities, and to preclude the possibility of restoration of such items for purposes inconsistent with the provisions of the Treaty, the Parties shall fulfill the requirements below	SECTION II — PROCEDURES FOR ELIMINATION AT ELIMINATION FACILITIES This Section, which forms the bulk of the Protocol, establishes the detailed procedures to be followed in eliminating systems at elimination facilities. Subsequent Sections provide for elimination at other locations. Paragraph 1 of Section II introduces the next several paragraphs of this Section, which establish procedures that the Parties must fulfill in order to ensure reliable determination of the type and number of items being eliminated and to preclude the possibility that such items could be restored for purposes that would violate the Treaty. These items, which are listed in Section I, include missiles, missile stages, front sections of missiles, launch canisters, launchers, missile transporter vehicles, missile erectors, and launch stands, as well as training missiles, training missile stages, training launch canisters, and training launchers.	

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
2. The conduct of the elimination procedures for the items of missile systems listed in paragraph 1 of this Section, except for training missiles, training missile stages, training launch canisters and training launchers, shall be subject to on-site inspection in accordance with Article XI of the Treaty and the Protocol on Inspection. The Parties shall have the right to conduct on-site inspections to confirm the completion of the elimination procedures set forth in paragraph 11 of this Section for training missiles, training missile stages, training launch canisters and training launchers. The Party possessing such a training missile, training missile stage, training launch canister or training launcher shall inform the other Party of the name and coordinates of the elimination facility at which the on-site inspection may be conducted as well as the date on which it may be conducted. Such information shall be provided no less than 30 days in advance of that date	Paragraph 2 of Section II provides for on-site inspection of the conduct of the elimination procedures for the items listed in paragraph 1 of this Section, except for training missiles, training missile stages, training launch canisters and training launchers. Such on-site inspections must be conducted in accordance with Article XI of the Treaty and the Protocol on Inspection. With respect to the excepted items related to training, the Parties may conduct on-site inspections to confirm the completion of the elimination procedures described in paragraph 11 of Section II. Not less than 30 days in advance of such an inspection, the Party possessing the training items must provide the other Party with the name and geographic coordinates of the elimination facility at which such an on-site inspection may be conducted and the date on which the inspection may take place.	

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
3. Prior to a missile's arrival at the elimination facility, its nuclear warhead device and guidance elements may be removed.	Paragraph 3 of Section II states that before a missile arrives at the elimination facility, its nuclear warhead device and guidance elements may be removed. Nuclear warhead devices and guidance elements are not required to be eliminated because destroying them would be meaningless unless the manufacture of new such items was also prohibited. Also, since warheads are small, verifying compliance with such a prohibition would be extremely difficult. Furthermore, the retention of the fissionable material from the warheads conserves resources necessary to U.S. national security.	

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
4. Each Party shall select the particular technological means necessary to implement the procedures required in paragraphs 10 and 11 of this Section and to allow for on-site inspection of the conduct of the elimination procedures required in paragraph 10 of this Section in accordance with Article XI of the Treaty, this Protocol and the Protocol on Inspection.	Paragraph 4 of Section II gives each Party the right to select the technological means to implement the elimination procedures required in paragraphs 10 and 11 of this Section, and to allow for on-site inspection of those elimination procedures in accordance with Article XI of the Treaty, this Protocol, and the Protocol on Inspection.	Section II Paragraph 4 107. Does this paragraph mean that (1) each Party shall select the particular technological means necessary *both* to implement elimination procedures *and* to allow for on-site inspection *or* (2) does it mean that each Party shall select the particular technological means necessary to implement elimination procedures and *will* allow for on-site inspection in accordance with the provisions of the Treaty? If the former meaning is correct, what are the limits on each party's right to "select the particular technological means necessary...to allow for on-site inspection" so that such means cannot be used to create obstacles to the conduct of inspections?

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
5. The initiation of the elimination of the items of missile systems subject to this Section shall be considered to be the commencement of the procedures set forth in paragraph 10 or 11 of this Section.	Paragraph 5 of Section II provides that the commencement of the procedures set forth in paragraph 10 or 11 of this Section will signal the initiation of the elimination of the items of the missile systems.	

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
6. Immediately prior to the initiation of the elimination procedures set forth in paragraph 10 of this Section, an inspector from the Party receiving the pertinent notification required by paragraph 5(c) of Article IX of the Treaty shall confirm and record the type and number of items of missile systems, listed in paragraph 1 of this Section, which are to be eliminated. If the inspecting Party deems it necessary, this shall include a visual inspection of the contents of launch canisters.	Paragraph 6 of Section II provides that immediately before the initiation of the elimination procedures set forth in paragraph 10 of this Section, an inspector, from the Party receiving a notification required by subparagraph 5(c) of Article IX of the Treaty concerning scheduled eliminations, must confirm and record the numbers and the types of missile systems that are to be eliminated. This can include a visual inspection of the contents of launch canisters, if the Inspecting Party deems it necessary.	Paragraph 6 108. Does the right to visual inspection of the contents of launch canisters include the right to have the contents removed for inspection?

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
7. A missile stage being eliminated by burning in accordance with the procedures set forth in paragraph 10 of this Section shall not be instrumented for data collection. Prior to the initiation of the elimination procedures set forth in paragraph 10 of this Section, an inspector from the inspecting Party shall confirm that such missile stages are not instrumented for data collection. These missile stages shall be subject to continuous observation by such an inspector from the time of that inspection until the burning is completed	Paragraph 7 of Section II requires that a missile stage that is being eliminated by burning in accordance with the procedures set forth in paragraph 10 of this Section must not have instruments for data collection. An inspector must confirm this lack of instrumentation through an inspection before the elimination procedures are set in motion. Continuous observation by the inspector of such missile stages is required until the burning is completed.	Paragraph 7 100. Are the means by which an inspector can confirm that a missile stage is not instrumented for data collection expressly permitted by the Treaty?

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
8. The completion of the elimination procedures set forth in this Section, except those for training missiles, training missile stages, training launch canisters and training launchers, along with the type and number of items of missile systems for which those procedures have been completed, shall be confirmed in writing by the representative of the Party carrying out the elimination and by the inspection team leader of the other Party. The elimination of a training missile, training missile stage, training launch canister or training launcher shall be considered to have been completed upon completion of the procedures set forth in paragraph 11 of this Section and notification as required by paragraph 5(e) of Article IX of the Treaty following the date specified pursuant to paragraph 2 of this Section.	Paragraph 8 of Section II requires that the completion of elimination procedures must be confirmed in writing by both the representative of the Party carrying out the elimination and the inspection team leader of the other Party. Such a report must include the number and type of items of missile systems for which the procedures have been completed. However, in the case of training missiles, training missile stages, training launch canisters, and training launchers, paragraph 8 stipulates that elimination will be considered completed upon completion of the procedures set forth in paragraph 11 of this Section and upon notification as required by subparagraph 5(e) of Article IX of the Treaty; thus, no report is required after the elimination of such training equipment.	

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
9. The Parties agree that all United States and Soviet intermediate-range and shorter-range missiles and their associated reentry vehicles shall be eliminated within an agreed overall period of elimination. It is further agreed that all such missiles shall, in fact, be eliminated fifteen days prior to the end of the overall period of elimination. During the last fifteen days, a Party shall withdraw to its national territory reentry vehicles which, by unilateral decision, have been released from existing programs of cooperation and eliminate them during the same timeframe in accordance with the procedures set forth in this Section.	Paragraph 9 of Section II records the agreement of the Parties that all U.S. and Soviet intermediate-range and shorter-range missiles, along with their associated reentry vehicles, must be eliminated not later than 15 days before the end of the overall period of elimination for all such missiles. As specified in Articles IV and V of the Treaty, all such missiles shall be eliminated by the end of three years after entry into force of the Treaty. Paragraph 9 also requires that, during the last 15 days of the overall (i.e., three-year) elimination period, a Party must withdraw to its national territory reentry vehicles that, by unilateral decision, have been released from existing programs of cooperation, and eliminate them during the same time frame. On August 26, 1987, the Federal Republic of Germany announced that it would dismantle its Pershing IA missiles when the United States and the Soviet Union had eliminated all of their intermediate-range and shorter-range missiles pursuant to the Treaty. This unilateral decision by the Federal Republic is completely separate from the Treaty. This decision represents a policy of the Federal Republic of Germany that is not legally binding upon the Parties to the Treaty. Following the Federal Republic's unilateral decision, the United States and the Soviet Union agreed that they will eliminate their intermediate-range missiles by 15 days prior to the end of the three-year elimination period specified by the Treaty. At that point, the conditions established by the Federal Republic will have been met, and the existing program of cooperation will have therefore ceased. The U.S. reentry vehicles now associated with the Federal Republic's Pershing IA missiles will then be withdrawn and returned to U.S. territory. The United States will eliminate them in accordance with the Protocol on Elimination. The Treaty and its associated documents will not affect existing programs of cooperation. The important U.S. principle, that systems belonging to third countries will not be subject to bilateral arms control agreements between the United States and the Soviet Union, has thus been preserved.	**Paragraph 9** 110. Does the INF Treaty place any limits on the German Pershing 1A missiles? 111. What is the definition of the term "reentry vehicles," which is used for the first time in the Treaty in this paragraph? How does this term differ from the term "front section"? 112. What subcomponents are included in the term "reentry vehicle?" Does this paragraph mean that the nuclear warhead devices, instrumentation compartments, and guidance elements must be eliminated once the reentry vehicles are withdrawn? 113. If "reentry vehicles" for U.S. NATO allies missile systems other than the FRG P-1As (e.g., the Dutch, Belgian, FRG, etc. Lance missiles) were, by unilateral decision released from existing programs of cooperation with those countries, would the United States have to remove and eliminate them as well? 114. What part of this paragraph, specifically, limits its application exclusively to the FRG P-1As? 115. Should this paragraph be read as applying only to "reentry vehicles" released from POCs during the last 15 days of the three-year elimination period of the Treaty or does it mean that any such "reentry vehicles" which have been released, regardless of the date on which they were released, must be removed during and only during this fifteen day period? 116. Are there any Soviet "reentry vehicles" subject to the terms of this paragraph; for example, Soviet "reentry vehicles" for non-Soviet Scud missiles?

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
10. The specific procedures for the elimination of the items of missile systems listed in paragraph 1 of this Section shall be as follows, unless the Parties agree upon different procedures to achieve the same result as the procedures identified in this paragraph: For the Pershing II: Missile: (a) missile stages shall be eliminated by explosive demolition or burning; (b) solid fuel, rocket nozzles and motor cases not destroyed in this process shall be burned, crushed, flattened or destroyed by explosion; and (c) front section, minus nuclear warhead device and guidance elements, shall be crushed or flattened. Launcher: (a) erector-launcher mechanism shall be removed from launcher chassis; (b) all components of erector-launcher mechanism shall be cut at locations that are not assembly joints into two pieces of approximately equal size; (c) missile launch support equipment, including external instrumentation compartments, shall be removed from launcher chassis; and (d) launcher chassis shall be cut at a location that is not an assembly joint into two pieces of approximately equal size. For the BGM-109G: Missile: (a) missile airframe shall be cut longitudinally into two pieces; (b) wings and tail section shall be severed from missile airframe at locations that are not assembly joints; and (c) front section, minus nuclear warhead device and guidance elements, shall be crushed or flattened. Launch Canister: launch canister shall be crushed, flattened, cut into two pieces of approximately equal size or destroyed by explosion.	Paragraph 10 of Section II sets forth the specific procedures that must be used to eliminate the items of missile systems listed in Paragraph 1 of this Section, unless the Parties agree upon different procedures to achieve the same result. This paragraph addresses all items of missile systems except those related to training, which are addressed in paragraph 11 of this Section. The elimination procedures for specific missile systems set forth in paragraph 10 are as follows: For the U.S. Pershing II GLBM, the elimination procedures provide for destruction of missile stages by demolition or burning. Solid fuel, rocket nozzles, and motor cases not already destroyed in that process must be eliminated by burning, crushing, flattening, or destruction by explosion. Destruction by burning includes static firing of a missile stage, which results in the burning of the fuel, followed by crushing or flattening of the remainder of the stage; this is the method most frequently used in the past by the United States to destroy missiles. The front section of the missile, without the nuclear warhead device and guidance elements, must be crushed or flattened. The procedures for elimination of the Pershing II launchers include the removal of the erector-launcher mechanism from the launcher chassis; cutting all components of erector-launcher mechanisms, at places that are not assembly joints, into two pieces of approximately equal size; removal of missile launch support equipment from the launcher chassis; and cutting the launcher chassis, at a place that is not an assembly joint, into two pieces of approximately equal size. The procedures require the cutting of certain items at places that are not assembly joints in order to make it substantially more difficult to reassemble them. For the U.S. BGM-109G GLCM, the elimination procedures require that the missile airframe be cut longitudinally into two pieces and that the wings and tail section be severed from the airframe at locations other than assembly joints. The front section of the airframe must be crushed or flattened after removal of the nuclear warhead device and guidance elements. The BGM-109G launch canister must also be destroyed, by crushing, flattening, cutting into two pieces of approximately equal size, or explosion. Elimination procedures for the BGM-109G launcher parallel those for the Pershing II launcher described above.	Paragraph 10 137. Do the procedures for removing the erector-launcher mechanism from the launcher chassis effectively prevent the future missile launching uses of the SS-20 launcher chassis? How rapidly can the erector-launcher mechanism be remounted on the launcher chassis?

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
Launcher: (a) erector-launcher mechanism shall be removed from launcher chassis; (b) all components of erector-launcher mechanism shall be cut at locations that are not assembly joints into two pieces of approximately equal size; (c) missile launch support equipment, including external instrumentation compartments, shall be removed from launcher chassis; and (d) launcher chassis shall be cut at a location that is not an assembly joint into two pieces of approximately equal size. For the Pershing IA: Missile: (a) missile stages shall be eliminated by explosive demolition or burning; (b) solid fuel, rocket nozzles and motor cases not destroyed in this process shall be burned, crushed, flattened or destroyed by explosion; and (c) front section, minus nuclear warhead device and guidance elements, shall be crushed or flattened. Launcher: (a) erector-launcher mechanism shall be removed from launcher chassis; (b) all components of erector-launcher mechanism shall be cut at locations that are not assembly joints into two pieces of approximately equal size; (c) missile launch support equipment, including external instrumentation compartments, shall be removed from launcher chassis; and (d) launcher chassis shall be cut at a location that is not an assembly joint into two pieces of approximately equal size.		

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
For the Pershing II: **Missile:** (a) missile stage shall be eliminated by explosive demolition or burning; (b) solid fuel, rocket nozzle and motor case not destroyed in this process shall be burned, crushed, flattened or destroyed by explosion; and (c) front section, minus nuclear warhead device and guidance elements, shall be crushed or flattened. **For the SS-20:** **Missile:** (a) missile shall be eliminated by explosive demolition of the missile in its launch canister or by burning missile stages; (b) solid fuel, rocket nozzles and motor cases not destroyed in this process shall be burned, crushed, flattened or destroyed by explosion; and (c) front section, including reentry vehicles, minus nuclear warhead devices, and instrumentation compartment, minus guidance elements, shall be crushed or flattened. **Launch Canister:** launch canister shall be destroyed by explosive demolition together with a missile, or shall be destroyed separately by explosion, cut into two pieces of approximately equal size, crushed or flattened. **Launcher:** (a) erector-launcher mechanism shall be removed from launcher chassis; (b) all components of erector-launcher mechanism shall be cut at locations that are not assembly joints into two pieces of approximately equal size; (c) missile launch support equipment, including external instrumentation compartments, shall be removed from launcher chassis; (d) mountings of erector-launcher mechanism and launcher leveling supports shall be cut off launcher chassis; (e) launcher leveling supports shall be cut at locations that are not assembly joints into two pieces of approximately equal size; and (f) a portion of the launcher chassis, at least 0.78 meters in length, shall be cut off aft of the rear axle.		

Protocol on Elimination	Executive Branch Article-by-Article Analysis	Questions
Missile Transporter Vehicle: (a) all mechanisms associated with missile loading and mounting shall be removed from transporter vehicle chassis; (b) all mountings of such mechanisms shall be cut off transporter vehicle chassis; (c) all components of the mechanisms associated with missile loading and mounting shall be cut at locations that are not assembly joints into two pieces of approximately equal size; (d) external instrumentation compartments shall be removed from transporter vehicle chassis; (e) transporter vehicle leveling supports shall be cut off transporter vehicle chassis and cut at locations that are not assembly joints into two pieces of approximately equal size; and (f) a portion of the transporter vehicle chassis, at least 0.78 meters in length, shall be cut off aft of the rear axle. **For the SS-4:** **Missile:** (a) nozzles of propulsion system shall be cut off at locations that are not assembly joints; (b) all propellant tanks shall be cut into two pieces of approximately equal size; (c) instrumentation compartment, minus guidance elements, shall be cut into two pieces of approximately equal size; and (d) front section, minus nuclear warhead device, shall be crushed or flattened. **Launch Stand:** launch stand components shall be cut at locations that are not assembly joints into two pieces of approximately equal size. **Missile Erector:** (a) jib, missile erector leveling supports and missile erector mechanism shall be cut off missile erector at locations that are not assembly joints; and (b) jib and missile erector leveling supports shall be cut into two pieces of approximately equal size.		

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
Missile Transporter Vehicle: mounting components for a missile and for a missile erector mechanism as well as supports for erecting a missile onto a launcher shall be cut off transporter vehicle at locations that are not assembly joints. For the SS-5: Missile: (a) nozzles of propulsion system shall be cut off at locations that are not assembly joints; (b) all propellant tanks shall be cut into two pieces of approximately equal size; and (c) instrumentation compartment, minus guidance elements, shall be cut into two pieces of approximately equal size.		
For the SSC-X-4: Missile: (a) missile airframe shall be cut longitudinally into two pieces; (b) wings and tail section shall be severed from missile airframe at locations that are not assembly joints; and (c) front section, minus nuclear warhead device and guidance elements, shall be crushed or flattened. Launch Canister: launch canister shall be crushed, flattened, cut into two pieces of approximately equal size or destroyed by explosion. Launcher: (a) erector-launcher mechanism shall be removed from launcher chassis; (b) all components of erector-launcher mechanism shall be cut at locations that are not assembly joints into two pieces of approximately equal size; (c) missile launch support equipment, including external instrumentation compartments, shall be removed from launcher chassis; (d) mountings of erector-launcher mechanism and launcher leveling supports shall be cut off launcher chassis; (e) launcher leveling supports shall be cut at locations that are not assembly joints into two pieces of approximately equal size; and (f) the launcher chassis shall be severed at a location determined by measuring no more than 0.70 meters rearward from the rear axle.	For the Soviet SSC-X-4 GLCM missile, launch canister, and launcher, the elimination procedures are the same as for the U.S. BGM-109G GLCM, except that the SSC-X-4 launcher chassis must be severed at a point no more than 0.70 meters behind the rear axle, mountings of the erector-launcher mechanism and launcher leveling supports must be cut off the launcher chassis, and launcher leveling supports must be cut into two pieces of approximately equal size at locations that are not assembly joints. For the Soviet SS-12 and SS-23 missiles, launchers, and missile transporter vehicles, the elimination procedures parallel those for the SS-20, except that the front sections of the SS-12 and SS-23 missiles do not include reentry vehicles, and destruction of their front sections may be done by explosive demolition together with the missile. Also, for the SS-23, the control equipment of the mechanism associated with missile loading must be removed from the transporter vehicle.	

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
For the SS-12: Missile: (a) missile shall be eliminated by explosive demolition or by burning missile stages; (b) solid fuel, rocket nozzles and motor cases not destroyed in this process shall be burned, crushed, flattened or destroyed by explosion; and (c) front section, minus nuclear warhead device, and instrumentation compartment, minus guidance elements, shall be crushed, flattened or destroyed by explosive demolition together with a missile. Launcher: (a) erector-launcher mechanism shall be removed from launcher chassis; (b) all components of erector-launcher mechanism shall be cut at locations that are not assembly joints into two pieces of approximately equal size; (c) missile launch support equipment, including external instrumentation compartments, shall be removed from launcher chassis; (d) mountings of erector-launcher mechanism and launcher leveling supports shall be cut off launcher chassis; (e) launcher leveling supports shall be cut at locations that are not assembly joints into two pieces of approximately equal size; and (f) a portion of the launcher chassis, at least 1.10 meters in length, shall be cut off aft of the rear axle.		

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
Missile Transporter Vehicle: (a) all mechanisms associated with missile loading and mounting shall be removed from transporter vehicle chassis; (b) all mountings of such mechanisms shall be cut off transporter vehicle chassis; (c) all components of the mechanisms associated with missile loading and mounting shall be cut at locations that are not assembly joints into two pieces of approximately equal size; (d) external instrumentation compartments shall be removed from transporter vehicle chassis; (e) transporter vehicle leveling supports shall be cut off transporter vehicle chassis and cut at locations that are not assembly joints into two pieces of approximately equal size; and (f) a portion of the transporter vehicle chassis, at least 1.10 meters in length, shall be cut off aft of the rear axle **For the SS-23:** **Missile:** (a) missile shall be eliminated by explosive demolition or by burning the missile stage; (b) solid fuel, rocket nozzle and motor case not destroyed in this process shall be burned, crushed, flattened or destroyed by explosion; and (c) front section, minus nuclear warhead device, and instrumentation compartment, minus guidance elements, shall be crushed, flattened, or destroyed by explosive demolition together with a missile		

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
Launcher: (a) erector-launcher mechanism shall be removed from launcher body; (b) all components of erector-launcher mechanism shall be cut at locations that are not assembly joints into two pieces of approximately equal size; (c) missile launch support equipment shall be removed from launcher body; (d) mountings of erector-launcher mechanism and launcher leveling supports shall be cut off launcher body; (e) launcher leveling supports shall be cut at locations that are not assembly joints into two pieces of approximately equal size; (f) each environmental cover of the launcher body shall be removed and cut into two pieces of approximately equal size; and (g) a portion of the launcher body, at least 0.85 meters in length, shall be cut off aft of the rear axle. **Missile Transporter Vehicle:** (a) all mechanisms associated with missile loading and mounting shall be removed from transporter vehicle body; (b) all mountings of such mechanisms shall be cut off transporter vehicle body; (c) all components of mechanisms associated with missile loading and mounting shall be cut at locations that are not assembly joints into two pieces of approximately equal size; (d) control equipment of the mechanism associated with missile loading shall be removed from transporter vehicle body; (e) transporter vehicle leveling supports shall be cut off transporter vehicle body and cut at locations that are not assembly joints into two pieces of approximately equal size, and (f) a portion of the transporter vehicle body, at least 0.85 meters in length, shall be cut off aft of the rear axle		

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
11. The specific procedures for the elimination of the training missiles, training missile stages, training launch canisters and training launchers indicated in paragraph 1 of this Section shall be as follows: **Training Missile and Training Missile Stage:** training missile and training missile stage shall be crushed, flattened, cut into two pieces of approximately equal size or destroyed by explosion. **Training Launch Canister:** training launch canister shall be crushed, flattened, cut into two pieces of approximately equal size or destroyed by explosion. **Training Launcher:** training launcher chassis shall be cut at the same location designated in paragraph 10 of this Section for launcher of the same type of missile.	Paragraph 11 of Section II provides specific procedures for the elimination of the training missiles, training missile stages, training launch canisters, and training launchers listed in Section I. All of these items, except for training launchers, must be eliminated by crushing, flattening, cutting into two pieces of about equal size, or destroying by explosion. The procedures require training launchers to be eliminated by cutting the chassis of the training launcher at the same location specified in paragraph 10 above for the launcher of the same type of missile.	

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
III. Elimination of Missiles by Means of Launching 1. Elimination of missiles by means of launching pursuant to paragraph 5 of Article X of the Treaty shall be subject to on-site inspection in accordance with paragraph 7 of Article XI of the Treaty and the Protocol on Inspection. Immediately prior to each launch conducted for the purpose of elimination, an inspector from the inspecting Party shall confirm by visual observation the type of the missile to be launched	SECTION III—ELIMINATION OF MISSILES BY LAUNCHING Section III sets forth the procedures by which intermediate-range missiles may be eliminated by means of launching them in order to destroy them. In this regard, paragraph 5 of Article X of the Treaty gives each Party the right to eliminate up to 100 of its intermediate-range missiles in this manner during the first six months after entry into force of the Treaty. Note, however, that subparagraph 1(a) of Article VI of the Treaty prohibits the flight-testing of intermediate-range missiles. The purpose of Section III is to provide procedures that permit elimination by launching, while ensuring that such elimination will not be used effectively as a flight-test, which would provide the launching Party with militarily useful data. Shorter-range missiles may not be eliminated by launching Paragraph 1 of Section III provides that the elimination of intermediate-range missiles by means of launching is subject to on-site inspection in accordance with paragraph 7 of Article XI of the Treaty (which provides for "elimination" inspections) and Section VIII of the Protocol on Inspection. Paragraph 1 requires that, immediately prior to each launch conducted for the purpose of elimination, an inspector from the Inspecting Party will confirm by visual observation the type of missile to be launched.	

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
2. All missiles being eliminated by means of launching shall be launched from designated elimination facilities to existing impact areas for such missiles. No such missile shall be used as a target vehicle for a ballistic missile interceptor	Paragraph 2 of Section III requires that all missiles being eliminated by launching be launched from designated elimination facilities to existing impact areas for such missiles. No such missile may be used as a target for ballistic missile interceptors.	SECTION III Paragraph 2 110. Does the prohibition on the use of elimination launches as targets for ballistic missile interceptors also prohibit the use of elimination launches for the purposes of tracking the missile with ABM or air defense radar or any other types of sensors? Does this paragraph prohibit elimination launches from being used for troop training purposes?

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
3. Missiles being eliminated by means of launching shall be launched one at a time, and no less than six hours shall elapse between such launches.	Paragraph 3 of Section III provides that missiles being eliminated by launching must be launched one at a time with at least six hours between each launch.	

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
4. Such launches shall involve ignition of all missile stages. Neither Party shall transmit or recover data from missiles being eliminated by means of launching except for unencrypted data used for range safety purposes	Paragraph 4 of Section III requires that launches must involve ignition of all missile stages. Also, neither Party is permitted to transmit or recover data from missiles being eliminated by launching, except for unencrypted data used for range safety purposes.	Paragraph 4 119. What is "range safety" data that is permitted to be transmitted during elimination launches? Could reliability or flight test information be transmitted in the guise of "range safety" data?

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
5. The completion of the elimination procedures set forth in this Section, and the type and number of missiles for which those procedures have been completed, shall be confirmed in writing by the representative of the Party carrying out the elimination and by the inspection team leader of the other Party.	Paragraph 5 of Section III provides that the completion of the elimination procedures set forth in this Section, and the type and number of missiles for which those procedures have been completed, must be confirmed in writing by the representative of the launching Party and by the inspection team leader of the Inspecting Party.	

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
6. A missile shall be considered to be eliminated by means of launching after completion of the procedures set forth in this Section and upon notification required by paragraph 5(e) of Article IX of the Treaty.	Paragraph 6 of Section III Provides that a missile is considered eliminated by launching: (1) after completion of the procedures set forth in this Section and (2) upon notification required by subparagraph 5(e) of Article IX of the Treaty.	

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
IV. Procedures for Elimination *In Situ* 1. Support Structures (a) Support structures listed in Section I of this Protocol shall be eliminated *in situ*. (b) The initiation of the elimination of support structures shall be considered to be the commencement of the elimination procedures required in paragraph 1(d) of this Section. (c) The elimination of support structures shall be subject to verification by on-site inspection in accordance with paragraph 4 of Article XI of the Treaty.	SECTION IV—PROCEDURES FOR ELIMINATION IN SITU Certain of the items that must be eliminated pursuant to the Treaty are structures that cannot be moved to elimination facilities, or training items that are not required to be moved to elimination facilities. Accordingly, Section IV provides procedures for the elimination, *in situ*, of support structures, propellant tanks of Soviet SS-4 missiles, and certain training items. Paragraph 1 of Section IV provides the procedures for the elimination of support structures. Support structures are associated only with intermediate-range missile systems; shorter-range missile systems do not possess such structures. Subparagraph 4(a) of Article II provides that support structures are located at missile operating bases of intermediate-range missiles. Subparagraph 1(a) of Section IV states that the support structures listed in Section I of this Protocol must be eliminated *in situ*, i.e., at the sites at which they are presently located. Subparagraph 1(b) provides that the initiation of the elimination of support structures will be considered to be the commencement of the elimination procedures specified in subparagraph 1(d) below. Subparagraph 1(c) provides that the elimination of support structures is subject to verification by on-site inspection in accordance with paragraph 4 of Article XI Of the Treaty. Paragraph 4 of Article XI provides for "close-out" inspections at missile operating bases in order to confirm that the elimination has, in fact, occurred. The procedures for "close-out" inspections are set forth in Section VII of the Protocol on Inspection.	

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
(d) The specific elimination procedures for support structures shall be as follows: (i) the superstructure of the fixed structure or shelter shall be dismantled or demolished, and removed from its base or foundation; (ii) the base or foundation of the fixed structure or shelter shall be destroyed by excavation or explosion; (iii) the destroyed base or foundation of a fixed structure or shelter shall remain visible to national technical means of verification for six months or until completion of an on-site inspection conducted in accordance with Article XI of the Treaty; and (iv) upon completion of the above requirements, the elimination procedures shall be considered to have been completed.	Subparagraph 1(d) specifies the elimination procedures for support structures. The procedures are as follows: —the superstructure of the fixed structure or shelter must be dismantled or demolished, and removed from its base or foundation; —the base or foundation of the fixed structure or shelter must be destroyed by excavation or by explosion; and —the destroyed base or foundation of a fixed structure or shelter must remain visible to national technical means of verification for six months or until completion of an on-site inspection conducted in accordance with Article XI of the Treaty. Upon completion of the above requirements, the elimination procedures will be considered to have been completed.	

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
2. Propellant Tanks for SS-4 Missiles Fixed and transportable propellant tanks for SS-4 missiles shall be removed from launch sites.	Paragraph 2 of Section IV requires that the fixed and the transportable propellant tanks of the Soviet SS-4 itnermediate-range GLBM be removed from launch sites.	

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
3. Training Missiles, Training Missile Stages, Training Launch Canisters and Training Launchers (a) Training missiles, training missile stages, training launch canisters and training launchers not eliminated at elimination facilities shall be eliminated *in situ*. (b) Training missiles, training missile stages, training launch canisters and training launchers being eliminated *in situ* shall be eliminated in accordance with the specific procedures set forth in paragraph 11 of Section II of this Protocol. (c) Each Party shall have the right to conduct an on-site inspection to confirm the completion of the elimination procedures for training missiles, training missile stages, training launch canisters and training launchers. (d) The Party possessing such a training missile, training missile stage, training launch canister or training launcher shall inform the other Party of the place-name and coordinates of the location at which the on-site inspection provided for in paragraph 3(c) of this Section may be conducted as well as the date on which it may be conducted. Such information shall be provided no less than 30 days in advance of that date. (e) Elimination of a training missile, training missile stage, training launch canister or training launcher shall be considered to have been completed upon the completion of the procedures required by this paragraph and upon notification as required by paragraph 5(e) of Article IX of the Treaty following the date specified pursuant to paragraph 3(d) of this Section	Paragraph 3 of Section IV specifies the procedures for the elimination, *in situ*, of training missiles, training missile stages, training launch canisters, and training launchers. Subparagraph 3a) requires that such training equipment that was not eliminated at elimination facilities must be eliminated *in situ*. Subparagraph 3(b) requires that such training equipment being eliminated *in situ* must be eliminated in accordance with the specific procedures set forth in paragraph 11 of Section II of the Protocol. Subparagraph 3c) provides each Party with the right to conduct an on-site inspection to confirm the completion of the elimination procedures. Subparagraph 3d) requires that a Party possessing such training equipment must inform the other Party of the place-name, and coordinates of the location at which the on-site inspection provided for in subparagraph 3c) above may be conducted as well as the date on which it may be conducted. Such information must be provided no less than 30 days in advance of the date of the scheduled on-site inspection. Subparagraph 3e) provides that elimination of such training equipment will be considered accomplished upon completion of the procedures required by this paragraph and upon notification as required by subparagraph 5e) of Article IX of the Treaty following the date specified pursuant to subparagraph 3d) above.	SECTION IV Paragraph 3 139. Who or what determines whether training missiles, training missile stages, training launch canisters and training launchers are eliminated at elimination facilities or in situ?

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
V. Other Types of Elimination 1. Loss or Accidental Destruction (a) If an item listed in Section I of this Protocol is lost or destroyed as a result of an accident, the possessing Party shall notify the other Party within 48 hours, as required in paragraph 5(e) of Article IX of the Treaty, that the item has been eliminated. (b) Such notification shall include the type of the eliminated item, its approximate or assumed location and the circumstances related to the loss or accidental destruction. (c) In such a case, the other Party shall have the right to conduct an inspection of the specific point at which the accident occurred to provide confidence that the item has been eliminated.	SECTION V—OTHER TYPES OF ELIMINATION Section V provides for elimination due to loss or accidental destruction, and for elimination by placing items on static display. Paragraph 1 of Section V provides procedures in the case of elimination resulting from loss or accidental destruction of an item listed in Section I of the Protocol. Notice of such elimination must be given by the possessing Party within 48 hours as required by subparagraph 5(e) of Article IX of the Treaty. Such notice must include a statement of the relevant circumstances surrounding the loss or accident, including its approximate or assumed location and the name or type of item that was eliminated by such loss or accidental destruction. In order to provide confidence that the elimination actually occurred, the other Party has a right to conduct an inspection at the specific site of the accident.	

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
2. Static Display (a) The Parties shall have the right to eliminate missiles, launch canisters and launchers, as well as training missiles, training launch canisters and training launchers, listed in Section I of this Protocol by placing them on static display. Each Party shall be limited to a total of 15 missiles, 15 launch canisters and 15 launchers on such static display. (b) Prior to being placed on static display, a missile, launch canister or launcher shall be rendered unusable for purposes inconsistent with the Treaty. Missile propellant shall be removed and erector-launcher mechanisms shall be rendered inoperative. (c) The Party possessing a missile, launch canister or launcher, as well as a training missile, training launch canister or training launcher that is to be eliminated by placing it on static display shall provide the other Party with the place-name and coordinates of the location at which such a missile, launch canister or launcher is to be on static display, as well as the location at which the on-site inspection provided for in paragraph 2(d) of this Section, may take place. (d) Each Party shall have the right to conduct an on-site inspection of such a missile, launch canister or launcher within 60 days of receipt of the notification required in paragraph 2(c) of this Section. (e) Elimination of a missile, launch canister or launcher, as well as a training missile, training launch canister or training launcher, by placing it on static display shall be considered to have been completed upon completion of the procedures required by this paragraph and notification as required by paragraph 5(e) of Article IX of the Treaty.	Paragraph 2 of Section V provides the Parties with the right to eliminate certain items that are listed in Section I of the Protocol by placing them on static display. The items that may be eliminated by this procedure are missiles, launch canisters, launchers, training missiles, training launch canisters, and training launchers. Each Party may eliminate a total of 15 missiles, 15 launch canisters, and 15 launchers by placing them on static display. The totals for each of the three categories include both operational and training items. The procedures require that, before being placed on static display, the items be rendered unusable for any purpose inconsistent with the Treaty. Missile propellant must be removed, and erector-launcher mechanisms must be made inoperative. For purposes of verification, the other Party has the right to conduct an on-site inspection of the item or items to be placed on static display within 60 days of receipt of notification by the possessing Party. Such notification is required by paragraph 2, and this notification must include: (a) the place-name and coordinates of the location at which the missile, launch canister, or launcher is to be on static display, and (b) the location at which the on-site inspection may take place. After all of the above procedures have been completed and notification has been given as required by subparagraph 5(e) of Article IX of the Treaty, elimination of a missile, launcher, launch canister, training missile, training launch canister, or training launcher by placing it on static display will be deemed to be completed.	SECTION V Paragraph 2 131. What, if anything, is required for the elimination of missiles, launch canisters and launchers by placing them on "static display", beyond the removal of missile propellant and the rendering inoperative of erector-launcher mechanisms?

Protocol on Elimination	Executive Branch Article-By-Article Analysis	Questions
This Protocol is an integral part of the Treaty. It shall enter into force on the date of the entry into force of the Treaty and shall remain in force so long as the Treaty remains in force. As provided for in paragraph 1(b) of Article XIII of the Treaty, the Parties may agree upon such measures as may be necessary to improve the viability and effectiveness of this Protocol. Such measures shall not be deemed amendments to the Treaty. DONE at Washington on December 8, 1987, in two copies, each in the English and Russian languages, both texts being equally authentic.	**FINAL PROVISIONS** The penultimate paragraph of the Protocol specifies that the Protocol is an integral part of the Treaty, that it will enter into force on the date of entry into force of the Treaty and that it will remain in force as long as the Treaty remains in force. The paragraph also provides that the Parties may agree upon measures to improve the viability and effectiveness of the Protocol, through the Special Verification Commission established pursuant to Article XIII of the Treaty. Such measures will not be deemed to be amendments to the Treaty. Thus, while substantive obligations cannot be changed absent an agreed amendment to the Treaty, minor matters relating to the detailed elimination procedures may be altered through agreement of the Parties in order to facilitate the implementation of the Treaty regime. The final paragraph records that the Protocol was done at Washington on December 8, 1987, in two copies, each in the English and Russian languages, both texts being equally authentic.	

Protocol
Regarding Inspections Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
Pursuant to and in implementation of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate Range and Shorter Range Missiles of December 8, 1987, hereinafter referred to as the Treaty, the Parties hereby agree upon procedures governing the conduct of inspections provided for in Article XI of the Treaty I. Definitions For the purposes of this Protocol, the Treaty, the Memorandum of Understanding and the Protocol on Elimination 1. The term "inspected Party" means the Party to the Treaty whose sites are subject to inspection as provided for by Article XI of the Treaty	STRUCTURE AND OVERVIEW OF THE PROTOCOL The Protocol on Inspection (the Protocol) consists of a Preamble, 11 Sections, and an Annex on privileges and immunities of inspectors and aircrew members. The Protocol provides the detailed procedures to implement the Treaty's on-site inspection regime, as required by Article XI of the Treaty. These on-site inspection procedures, unprecedented in scope and detail, will work with our national technical means of verification and with the data exchanges required by Article IX of the Treaty to help provide effective verification of Soviet compliance with the Treaty limitations. PREAMBLE The Preamble states that, pursuant to and in implementation of the Treaty, the Parties have agreed upon procedures governing the conduct of inspections provided for in Article XI of the Treaty. SECTION I—DEFINITIONS Section I sets forth the definitions of certain terms used in the Protocol, the Treaty, the MOU, and the Protocol on Elimination. Definitions are provided for the following terms: (1) Inspected Party, (2) Inspecting Party, (3) inspector, (4) inspection team, (5) inspection site, (6) period of inspection, (7) point of entry, (8) in-country period, (9) in-country escort, and (10) aircrew member. Paragraph 1 of Section I defines the "Inspected Party" as the Party to the Treaty whose sites are subject to inspection pursuant to Article XI of the Treaty. Note that this refers to a "Party," meaning either the United States or the Soviet Union. When an inspection takes place on the territory of a Basing Country, as defined in paragraph 15 of Article II of the Treaty, either the United States or the Soviet Union, as appropriate, will be the "Inspected Party."	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
2. The term "inspecting Party" means the Party to the Treaty carrying out an inspection.	Paragraph 2 of Section I defines the "Inspecting Party" as the Party carrying out the inspection. As in the case of paragraph 1, the "Inspecting Party" will be either the United States or the Soviet Union.	
3. The term "inspector" means an individual designated by one of the Parties to carry out inspections and included on that Party's list of inspectors in accordance with the provisions of Section III of this Protocol.	Paragraph 3 of Section I defines an "inspector" as an individual who is designated by a Party to carry out inspections and who is included on the Party's list of inspectors, prepared in accordance with the provisions of Section III of the Protocol. Section III sets forth the detailed procedures for designation and acceptance of inspectors. Inspectors are granted privileges and immunities pursuant to the Annex to the Protocol.	PROTOCOL ON INSPECTIONS SECTION III Paragraph 3 133. If one Party informs the other that it does not agree to a proposed inspector or aircrew member who will carry out "closeout, "baseline", "elimination", and "spot" inspections associated with Art. XI(3,)(4),(5),(7) and (8), must those individuals against whom objections are raised be deleted from the list? What steps are to be taken in the event of such a disagreement?

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
4. The term "inspection team" means the group of inspectors assigned by the inspecting Party to conduct a particular inspection.	Paragraph 4 of Section I defines an "inspection team" as a group of inspectors assigned to carry out a particular inspection. Each person on an "inspection team" is an "inspector." Paragraph 15 of Section VI establishes the number of inspectors per team.	
5. The term "inspection site" means an area, location or facility at which an inspection is carried out.	Paragraph 5 of Section I defines an "inspection site" as the area, location, or facility at which an inspection takes place. Site diagrams of missile operating bases and agreed missile support facilities are appended to the MOU.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
6. The term "period of inspection" means the period of time from arrival of the inspection team at the inspection site until its departure from the inspection site, exclusive of time spent on any pre- and post-inspection procedures.	Paragraph 6 of Section I defines an "period of inspection" as the time from the arrival of the team at the site until its departure from the inspection site, exclusive of any pre-inspection and post-inspection procedures. Paragraph 14 of Section VI establishes the time limits for certain types of inspections as well as for pre-inspection and post-inspection procedures.	
7. The term "point of entry" means: Washington, D.C., or San Francisco, California, the United States of America; Brussels (National Airport), The Kingdom of Belgium; Frankfurt (Rhein Main Airbase), The Federal Republic of Germany; Rome (Ciampino), The Republic of Italy; Schiphol, The Kingdom of the Netherlands; RAF Greenham Common, The United Kingdom of Great Britain and Northern Ireland; Moscow, or Irkutsk, the Union of Soviet Socialist Republics; Schkeuditz Airport, the German Democratic Republic; and International Airport Ruzyne, the Czechoslovak Socialist Republic.	Paragraph 7 of Section I designates the "points of entry": for the United States as Washington, D.C. or San Francisco, California; for the Union of Soviet Socialist Republics as Moscow or Irkutsk; for the Kingdom of Belgium as Brussels (National Airport); for the Federal Republic of Germany as Frankfurt (Rhein Main Airbase); for the Republic of Italy as Rome (Ciampino); for the Kingdom of the Netherlands as Schiphol; for the United Kingdom of Great Britain and Northern Ireland as RAF Greenham Common; for the German Democratic Republic as Schkeuditz Airport; and for the Czechoslovak Socialist Republic as International Airport Ruzyne. Paragraph 5 of Section IV establishes procedures to be followed if these points of entry are to be changed.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
8. The term "in-country period" means the period from the arrival of the inspection team at the point of entry until its departure from the country through the point of entry.	Paragraph 8 of Section I defines "in-country period" as the period of time that the inspection team is in the country from the arrival at the point of entry until departure from the country through the point of entry.	
9. The term "in-country escort" means individuals specified by the inspected Party to accompany and assist inspectors and aircrew members as necessary throughout the in-country period.	Paragraph 9 of Section I defines an "in-country escort" as individuals specified by the Inspected Party to accompany and assist inspection team and aircrew members throughout the in-country period. Paragraph 1 of Section V and paragraph 5 of Section VI provide detailed procedures concerning the in-country escort. When an inspection takes place in a Basing Country, that country will have the right to representation in the in-country escort.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
10. The term "aircrew member" means an individual who performs duties related to the operation of an airplane and who is included on a Party's list of aircrew members in accordance with the provisions of Section III of this Protocol.	Paragraph 10 of Section I defines an "aircrew member" as an individual who performs duties related to the operation of an airplane and who is included on a Party's list of aircrew members in accordance with the provisions of Section III of the Protocol. Aircrew members are granted privileges and immunities pursuant to the Annex to the Protocol.	
II. General Obligations 1. For the purpose of ensuring verification of compliance with the provisions of the Treaty, each Party shall facilitate inspection by the other Party pursuant to this Protocol.	SECTION II—GENERAL OBLIGATIONS This section sets forth the basic obligation to facilitate inspections conducted pursuant to the Protocol on Inspection and the Treaty. It also notes that there are other agreements (e.g., the Basing Country Agreement between the United States and the five Allied Basing Countries) pertinent to the conduct of these inspections. Paragraph 1 of Section II obliges each Party to help ensure verification of compliance with the obligations of the Treaty by facilitating inspections.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
2. Each Party takes note of the assurances received from the other Party regarding understandings reached between the other Party and the basing countries to the effect that the basing countries have agreed to the conduct of inspections, in accordance with the provisions of this Protocol, on their territories	Paragraph 2 of Section II states that each Party takes note of the assurances received from the other party regarding understandings reached between the other Party and the Basing Countries to the effect that the Basing Countries have agreed to the conduct of inspections pursuant to the Protocol on their respective territories. The Basing Country agreement provides the legal basis for these assurances by the United States. The five Allied Basing Countries are the United Kingdom, Belgium, Italy, the Federal Republic of Germany, and the Netherlands. The German Democratic Republic and Czechoslovakia are the two Basing Countries in which Soviet missile systems subject to the Treaty are located	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
III. Pre-Inspection Requirements 1. Inspections to ensure verification of compliance by the Parties with the obligations assumed under the Treaty shall be carried out by inspectors designated in accordance with paragraphs 3 and 4 of this Section.	SECTION III—PRE-INSPECTION REQUIREMENTS This section sets forth the actions that must take place before inspections may be conducted. Inasmuch as these actions are required within specified periods of time, a Party would be in violation of the Treaty if the Party delayed an inspection by not completing pre-inspection requirements. Paragraph 1 of Section III provides that inspections are to be carried out by inspectors designated in accordance with paragraphs 3 and 4 of Section III	
2. No later than one day after entry into force of the Treaty, each Party shall provide to the other Party: a list of its proposed aircrew members; a list of its proposed inspectors who will carry out inspections pursuant to paragraphs 3, 4, 5, 7 and 8 of Article XI of the Treaty; and a list of its proposed inspectors who will carry out inspection activities pursuant to paragraph 6 of Article XI of the Treaty. None of these lists shall contain at any time more than 200 individuals.	Paragraph 2 of Section III provides that, within one day after entry into force of the Treaty, each Party will provide the other Party with a list of aircrew members, a list of inspectors to carry out inspections pursuant to paragraphs 3, 4, 5, 7, and 8 of Article XI; and a list of proposed inspectors to carry out inspection activities by means of continuous portal monitoring activities pursuant to paragraph 6 of Article XI of the Treaty. No list may include more than 200 individuals	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
3. Each Party shall review the lists of inspectors and aircrew members proposed by the other Party. With respect to an individual included on the list of proposed inspectors who will carry out inspection activities pursuant to paragraph 6 of Article XI of the Treaty, if such an individual is unacceptable to the Party reviewing the list, that Party shall, within 20 days, so inform the Party providing the list, and the individual shall be deemed not accepted and shall be deleted from the list. With respect to an individual on the list of proposed aircrew members or the list of proposed inspectors who will carry out inspections pursuant to paragraphs 3, 4, 5, 7 and 8 of Article XI of the Treaty, each Party, within 20 days after the receipt of such lists, shall inform the other Party of its agreement to the designation of each inspector and aircrew member proposed. Inspectors shall be citizens of the inspecting Party.	Paragraph 3 of Section III requires each Party to review the other Party's lists of aircrew members and inspectors; inspectors must be citizens of the Party on whose list they appear. If an inspector proposed for conducting inspection activites by means of continuous portal monitoring pursuant to paragraph 6 of Article XI of the Treaty is unacceptable to a Party, that Party has 20 days from the time it receives the proposed list to object to the inclusion of that person on the list, in which case the individual must be deleted from the list. Each Party must inform the other Party of its agreement to the lists of aircrew members and inspectors conducting inspections pursuant to paragraphs 3, 4, 5, 7, and 8 of Article XI of the Treaty within 20 days of such receipt. While there is no initial right of refusal for aircrew members, or for inspectors conducting inspections pursuant to paragraphs 3, 4, 5, 7, and 8 of Article XI of the Treaty, paragraph 7 of Section III enables a Party to remove under certain conditions, an inspector or aircrew member from the other Party's list before that person ever engages in inspection activities.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
4. Each Party shall have the right to amend its lists of inspectors and aircrew members. New inspectors and aircrew members shall be designated in the same manner as set forth in paragraph 3 of this Section with respect to initial lists.	Paragraph 4 of Section III provides that each Party has the right to amend its list of inspectors and aircrew members in the same manner as the initial designation. The other Party must respond to the amendments in the same manner as provided for with respect to initial designations in paragraph 3 of Section III.	
5. Within 30 days of receipt of the initial lists of inspectors and aircrew members, or of subsequent changes thereto, the Party receiving such information shall provide, or shall ensure the provision of, such visas and other documents to each individual to whom it has agreed as may be required to ensure that each inspector or aircrew member may enter and remain in the territory of the Party or basing country in which an inspection site is located throughout the in-country period for the purpose of carrying out inspection activities in accordance with the provisions of this Protocol. Such visas and documents shall be valid for a period of at least 24 months.	Paragraph 5 of Section III provides that, within 30 days of receipt of the initial lists of inspectors and aircrew members, or of subsequent changes to such lists, the Party receiving such information must provide or ensure the provision of visas and other documents necessary to enable each inspector and aircrew member to enter and remain in the territory of the Party or Basing Country where an inspection site is located for the in-country period. Thus, the United States or the Soviet Union, as appropriate, will ensure that visas and other necessary documents will be provided for inspections in Basing Countries. Visas and documents will be valid for at least 21 months.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
6. To exercise their functions effectively, inspectors and aircrew members shall be accorded, throughout the in-country period, privileges and immunities in the country of the inspection site as set forth in the Annex to this Protocol.	Paragraph 6 of Section III provides that inspectors and aircrew members will be accorded privileges and immunities in the country of the inspection site, throughout the in-country period, as set forth in the Annex on privileges and immunities. Thus, these privileges and immunities will apply to all inspections, including those in the Basing Countries.	
7. Without prejudice to their privileges and immunities, inspectors and aircrew members shall be obliged to respect the laws and regulations of the State on whose territory an inspection is carried out and shall be obliged not to interfere in the internal affairs of that State. In the event the inspected Party determines that an inspector or aircrew member of the other Party has violated the conditions governing inspection activities set forth in this Protocol, or has ever committed a criminal offense on the territory of the inspected Party or a basing country, or has ever been sentenced for committing a criminal offense or expelled by the inspected Party or a basing country, the inspected Party making such a determination shall so notify the inspecting Party, which shall immediately strike the individual from the lists of inspectors or the list of aircrew members. If, at that time, the individual is on the territory of the inspected Party or a basing country, the inspecting Party shall immediately remove that individual from the country.	Paragraph 7 of Section III provides that inspectors and aircrew members must respect the laws and regulations of the State on whose territory the inspection is carried out and must not interfere in the internal affairs of the State. It further provides that, if the Inspected Party determines that an inspector or aircrew member has violated the conditions governing inspection activities, has ever committed a criminal offense on the territory of the Inspected Party or a Basing Country, or has ever been expelled by an Inspected Party or a Basing Country, the Inspected Party making such a determination will notify the Inspecting Party, who must immediately delete the individual's name from the list of inspectors or aircrew members and at the same time remove that individual from the territory of the Inspected Party or Basing Country, if such individual is there at that time.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
8. Within 30 days after entry into force of the Treaty, each Party shall inform the other Party of the standing diplomatic clearance number for airplanes of the Party transporting inspectors and equipment necessary for inspection into and out of the territory of the Party or basing country in which an inspection site is located. Aircraft routings to and from the designated point of entry shall be along established international airways that are agreed upon by the Parties as the basis for such diplomatic clearance.	Paragraph 8 of Section III provides that each Party will, within 30 days of entry into force of the Treaty, inform the other Party of the standing diplomatic clearance number for the airplanes of the Party transporting inspectors and equipment into and out of the territory of the Party or Basing Country in which an inspection site is located. Aircraft routings are to be long established international airways agreed upon by the Parties	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
IV. Notifications 1. Notification of an intention to conduct an inspection shall be made through the Nuclear Risk Reduction Centers. The receipt of this notification shall be acknowledged through the Nuclear Risk Reduction Centers by the inspected Party within one hour of its receipt. (a) For inspections conducted pursuant to paragraphs 3, 4 or 5 of Article XI of the Treaty, such notifications shall be made no less than 16 hours in advance of the estimated time of arrival of the inspection team at the point of entry and shall include: (i) the point of entry; (ii) the date and estimated time of arrival at the point of entry; (iii) the date and time when the specification of the inspection site will be provided; and (iv) the names of inspectors and aircrew members. (b) For inspections conducted pursuant to paragraphs 7 or 8 of Article XI of the Treaty, such notifications shall be made no less than 72 hours in advance of the estimated time of arrival of the inspection team at the point of entry and shall include: (i) the point of entry; (ii) the date and estimated time of arrival at the point of entry; (iii) the site to be inspected and the type of inspection; and (iv) the names of inspectors and aircrew members.	SECTION IV—NOTIFICATIONS Section IV contains detailed provisions concerning the notification that must be given prior to arrival at the inspection site and the specification of the type of inspection that the inspecting Party is planning to conduct. Paragraph 1 of Section IV provides that notification of an intention to conduct an inspection will be made through the Nuclear Risk Reduction Centers and that receipt of such a notification will be acknowledged through those centers by the Inspected Party within one hour of its receipt. The Nuclear Risk Reduction Centers were established pursuant to the Agreement Between the United States of America and the Union of Soviet Socialist Republics on the Establishment of Nuclear Risk Reduction Centers, dated September 15, 1987. For an inspection conducted pursuant to paragraph 3, 4, or 5 of Article XI of the Treaty (i.e., a "baseline," "Close-out," or "short-notice" inspection, respectively), such notification will be made no less than 16 hours in advance of the estimated time of arrival of the inspection team at the point of entry, and shall include: the point of entry, date and estimated time of arrival at the point of entry; date and time when specification of the inspection site will be provided; and the names of inspectors and aircrew members. For an inspection conducted pursuant to paragraph 7 or 8 of Article XI of the Treaty (i.e., an "elimination" inspection), such notification will be made no less than 72 hours in advance of the estimated time of arrival of the inspection team at the point of entry and will include: the point of entry, date and estimated time of arrival at the point of entry; the site to be inspected and the type of inspection; and the names of inspectors and aircrew members.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
2. The date and time of the specification of the inspection site as notified pursuant to paragraph 1(a) of this Section shall fall within the following time intervals: (a) for inspections conducted pursuant to paragraphs 4 or 5 of Article XI of the Treaty, neither less than four hours nor more than 24 hours after the estimated date and time of arrival at the point of entry; and (b) for inspections conducted pursuant to paragraph 3 of Article XI of the Treaty, neither less than four hours nor more than 18 hours after the estimated date and time of arrival at the point of entry.	Paragraph 2 of Section IV states that the date and time of the specification of the inspection site for "close-out" and "short-notice" inspections will be neither less than four hours nor more than 24 hours after the estimated date and time of arrival at the point of entry. In the case of the "baseline" inspections, the date and time of the specification of the inspection site shall be neither less than four nor more than 18 hours after the estimated date and time of arrival at the point of entry.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
3. The inspecting Party shall provide the inspected Party with a flight plan, through the Nuclear Risk Reduction Centers, for its flight from the last airfield prior to entering the air space of the country in which the inspection site is located to the point of entry, no less than six hours before the scheduled departure time from that airfield. Such a plan shall be filed in accordance with the procedures of the International Civil Aviation Organization applicable to civil aircraft. The inspecting Party shall include in the remarks section of each flight plan the standing diplomatic clearance number and the notation "Inspection aircraft. Priority clearance processing required."	Paragraph 3 of Section IV provides for the transmittal by the Inspecting Party to the Inspected Party, through the Nuclear Risk Reduction Centers, of a flight plan from the last departure airfield outside the country in which the inspection site is located to the point of entry. The plan must be provided not less than six hours before scheduled departure from the last departure airfield, must contain specified information, and must be filed in accordance with International Civil Aviation Organization (ICAO) procedures applicable to civil aircraft.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
4. No less than three hours prior to the scheduled departure of the inspection team from the last airfield prior to entering the airspace of the country in which the inspection is to take place, the inspected Party shall ensure that the flight plan filed in accordance with paragraph 3 of this Section is approved so that the inspection team may arrive at the point of entry by the estimated arrival time	Paragraph 4 of Section IV provides for approval of the flight plan described in paragraph 3 not less than three hours prior to the scheduled departure from the last airfield prior to entering the airspace of the country in which the inspection is to take place. This is necessary to ensure that the inspection team arrives on time at the point of entry	
5. Either Party may change the point or points of entry to the territories of the countries within which its deployment areas, missile operating bases or missile support facilities are located, by giving notice of such change to the other Party. A change in a point of entry shall become effective five months after receipt of such notification by the other Party.	Paragraph 5 of Section IV allows the Parties to change the points of entry set forth in Section II of the Protocol for the countries in which their deployment areas, missile operating bases, or missile support facilities are located by notifying the other Party. Such changes become effective five months after receipt of such notice.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
V. Activities Beginning Upon Arrival at the Point of Entry 1. The in-country escort and a diplomatic aircrew escort accredited to the Government of either the inspected Party or the basing country in which the inspection site is located shall meet the inspection team and aircrew members at the point of entry as soon as the airplane of the inspecting Party lands. The number of aircrew members for each airplane shall not exceed ten. The in-country escort shall expedite the entry of the inspection team and aircrew, their baggage, and equipment and supplies necessary for inspection, into the country in which the inspection site is located. A diplomatic aircrew escort shall have the right to accompany and assist aircrew members throughout the in-country period. In the case of an inspection taking place on the territory of a basing country, the in-country escort may include representatives of that basing country.	SECTION V—ACTIVITIES BEGINNING UPON ARRIVAL AT THE POINT OF ENTRY Section V contains detailed provisions regulating activities at the point of entry to facilitate the entry of inspectors and their equipment into the country where the inspection will take place. Paragraph 1 of Section V provides that the in-country escort and a diplomatic aircrew escort will meet the inspection team and aircrew members at the point of entry on arrival. The number of aircrew members for each airplane may not exceed ten. The in-country escort will expedite the entry of the inspection team and aircrew members, as well as the entry of their baggage, equipment, and supplies, into the country in which the inspection is to take place. The diplomatic aircrew escort will have the right to accompany and assist aircrew members throughout the in-country period. In-country escorts in a Basing Country may include representatives of that Basing Country.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
2. An inspector shall be considered to have assumed his duties upon arrival at the point of entry on the territory of the inspected Party or a basing country, and shall be considered to have ceased performing those duties when he has left the territory of the inspected Party or basing country.	Paragraph 2 of Section V provides that an inspector will be considered to have begun his duties at the point of entry and to have ended his duties when he has left the territory of the Inspected Party or Basing Country. Pursuant to the Annex on privileges and immunities, the inspector's privileges and immunities apply during this entire period, and thereafter with respect to acts performed in the exercise of his official functions during that period.	
3. Each Party shall ensure that equipment and supplies are exempt from all customs duties.	Paragraph 3 of Section V requires each Party to ensure that the equipment and supplies necessary for inspection are exempt from all customs duties. However, such equipment will be subject to examination pursuant to paragraph 4 of Section V.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
4. Equipment and supplies which the inspecting Party brings into the country in which an inspection site is located shall be subject to examination at the point of entry each time they are brought into that country. This examination shall be completed prior to the departure of the inspection team from the point of entry to conduct an inspection. Such equipment and supplies shall be examined by the in-country escort in the presence of the inspection team members to ascertain to the satisfaction of each Party that the equipment and supplies cannot perform functions unconnected with the inspection requirements of the Treaty. If it is established upon examination that the equipment or supplies are unconnected with these inspection requirements, then they shall not be cleared for use and shall be impounded at the point of entry until the departure of the inspection team from the country where the inspection is conducted. Storage of the inspecting Party's equipment and supplies at each point of entry shall be within tamper-proof containers within a secure facility. Access to each secure facility shall be controlled by a "dual key" system requiring the presence of both Parties to gain access to the equipment and supplies.	Paragraph 4 of Section V provides that the equipment and supplies the Inspecting Party brings into the country in which the inspection site is located are subject to examination at the point of entry each time they are brought in. This examination will be conducted by the in-country escort in the presence of the inspection team members before departure of the inspection team from the point of entry to the inspection site. It shall be for the purpose of ascertaining that any such equipment or supplies cannot perform functions unconnected with the inspection requirements of the Treaty. Equipment or supplies found unacceptable to the Inspected Party will be impounded at the point of entry until departure of the inspection team. Storage of the Inspecting Party's equipment and supplies at each point of entry will be within tamper-proof containers in a "dual-key" secure facility.	SECTION V Paragraph 4 133. Since virtually any kind of inspection equipment can perform functions "unconnected" with the treaty, does this prohibit equipment that cannot perform any functions connected with the treaty? How will "multiple use" items, such as tape recorders, be handled under this provision?

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
5. Throughout the in-country period, the inspected Party shall provide, or arrange for the provision of, meals, lodging, work space, transportation and, as necessary, medical care for the inspection team and aircrew of the inspecting Party. All the costs in connection with the stay of inspectors carrying out inspection activities pursuant to paragraph 6 of Article XI of the Treaty, on the territory of the inspected Party, including meals, services, lodging, work space, transportation and medical care shall be borne by the inspecting Party.	Paragraph 5 of Section V requires the Inspected Party to furnish inspection teams and aircrews with meals, lodging, work space, transportation, and necessary medical care during the in-country period. While the Inspected Party furnishes or provides for such services for inspectors carrying out inspection activities by means of continuous portal monitoring pursuant to paragraph 6 of Article XI of the Treaty, all costs connected with their stay will be borne by the Inspecting Party.	
6. The inspected Party shall provide parking, security protection, servicing and fuel for the airplane of the inspecting Party at the point of entry. The inspecting Party shall bear the cost of such fuel and servicing.	Paragraph 6 of Section V requires the Inspected Party to provide, at the point of entry, parking, security protection, servicing, and fuel for the aircraft of the Inspecting Party. The fuel and servicing shall be at the Inspecting Party's expense.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
7. For inspections conducted on the territory of the Parties, the inspection team shall enter at the point of entry on the territory of the inspected Party that is closest to the inspection site. In the case of inspections carried out in accordance with paragraphs 3, 4 or 5 of Article XI of the Treaty, the inspection team leader shall, at or before the time notified pursuant to paragraph 1(a)(iii) of Section IV of this Protocol, inform the inspected Party at the point of entry through the in-country escort of the type of inspection and the inspection site, by place-name and geographic coordinates	Paragraph 7 of Section V states that, for inspections on the territory of a Party, the point of entry used must be that which is closest to the inspection site. The inspection team leader for an inspection conducted pursuant to paragraph 3, 4, or 5 of Article XI of the Treaty will inform the in-country escort at the point of entry of the type of inspection and the inspection site no later than the time specified according to subparagraph 1(a) of Section IV of the Protocol.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
VI. General Rules for Conducting Inspections 1. Inspectors shall discharge their functions in accordance with this Protocol. 2. Inspectors shall not disclose information received during inspections except with the express permission of the inspecting Party. They shall remain bound by this obligation after their assignment as inspectors has ended.	SECTION VI—GENERAL RULES FOR CONDUCTING INSPECTIONS The general rules governing the conduct of inspections are set forth in Section VI. These rules are diverse, governing what inspectors may and may not do, what may be brought into a country where an inspection is to take place, and include safety procedures and procedures for the completion of an inspection. Paragraph 1 of Section VI states that inspectors will discharge their functions in accordance with the Protocol. Paragraph 2 of Section VI forbids inspectors to disclose information they receive during an inspection except as authorized by the Inspecting Party. It also states that this obligation applies even after their assignment as inspectors has ended.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
3. In discharging their functions, inspectors shall not interfere directly with on-going activities at the inspection site and shall avoid unnecessarily hampering or delaying the operation of a facility or taking actions affecting its safe operation.	Paragraph 3 of Section VI requires inspectors not to interfere directly with any ongoing activities at the inspection site and to avoid unnecessarily hampering or delaying the operation of the facility or taking actions affecting its safety. While inspectors may, as required to conduct the inspection, request their escorts to undertake actions that would interfere with normal activities at a site, this provision is designed to prevent inspectors from undertaking such actions themselves.	SECTION VI Paragraph 3 124. How does this requirement square with the provision of Section VII (1) which limits preinspection movements of treaty-limited items at the inspection site? Who will determine what constitutes interference, hampering, or delaying? What will happen to an inspector who interfered, hampers, or delays?
4. Inspections shall be conducted in accordance with the objectives set forth in Article XI of the Treaty as applicable for the type of inspection specified by the inspecting Party under paragraph 1(b) of Section IV or paragraph 7 of Section V of this Protocol.	Paragraph 4 of Section VI requires that inspections be conducted in accordance with the objectives set forth in Article XI of the Treaty as applicable for the type of inspection specified. Thus, if a Party specifies that it is going to conduct a particular type of inspection (e.g., a "close-out" inspection), it must then conduct the inspection in accordance with the objectives specified in Article XI for that type of inspection.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
5. The in-country escort shall have the right to accompany and assist inspectors and aircrew members as considered necessary by the inspected Party throughout the in-country period. Except as otherwise provided in this Protocol, the movement and travel of inspectors and aircrew members shall be at the discretion of the in-country escort.	Paragraph 5 of Section VI states that the in-country escort has the right to accompany and assist inspectors and aircrew members during the in-country period. Movement and travel of inspectors and aircrew members will be at the discretion of the in-country escort, except as otherwise provided in the Protocol.	
6. Inspectors carrying out inspection activities pursuant to paragraph 6 of Article XI of the Treaty shall be allowed to travel within 50 kilometers from the inspection site with the permission of the in-country escort, and as considered necessary by the inspected Party, shall be accompanied by the in-country escort. Such travel shall be taken solely as a leisure activity.	Paragraph 6 of Section VI states that inspectors carrying out inspection activities by means of continuous portal monitoring pursuant to paragraph 6 of Article XI of the Treaty may, with permission of the in-country escort, undertake local leisure travel within 50 kilometers of the inspection site. The distance of 50 kilometers is calculated on the basis of a 50 kilometer radius extending from the inspection site. At the discretion of the Inspected Party, such inspectors undertaking local leisure travel may be accompanied by the in-country escort.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
7. Inspectors shall have the right throughout the period of inspection to be in communication with the embassy of the inspecting Party located within the territory of the country where the inspection is taking place using the telephone communications provided by the inspected Party.	Paragraph 7 of Section VI ensures the right of inspectors to be in communication by telephone with their embassy within the territory of the country in which the inspection site is located, using the telephone communications provided by the Inspected Party.	Paragraph 7 135. Does this preclude the use of other means of communication such as satellite communications provided by the inspecting party?
8. At the inspection site, representatives of the inspected facility shall be included among the in-country escort.	Paragraph 8 of Section VI states that representatives of the inspected facility will be included among the in-country escort at the inspection site.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
9. The inspection team may bring onto the inspection site such documents as needed to conduct the inspection, as well as linear measurement devices; cameras, portable weighing devices; radiation detection devices; and other equipment, as agreed by the Parties. The characteristics and method of use of the equipment listed above, shall also be agreed upon within 30 days after entry into force of the Treaty. During inspections conducted pursuant to paragraphs 3, 4, 5(a), 7 or 8 of Article XI of the Treaty, the inspection team may use any of the equipment listed above, except for cameras, which shall be for use only by the inspected Party at the request of the inspecting Party. During inspections conducted pursuant to paragraph 5(b) of Article XI of the Treaty, all measurements shall be made by the inspected Party at the request of the inspecting Party. At the request of inspectors, the in-country escort shall take photographs of the inspected facilities using the inspecting Party's camera systems which are capable of producing duplicate, instant development photographic prints. Each Party shall receive one copy of every photograph.	Paragraph 9 of Section VI provides that inspectors may bring to the inspection site documents, linear measurement devices, cameras, portable weighing devices, radiation detection devices, and other equipment that has been agreed upon. The characteristics and method of use of this equipment will be agreed upon within 30 days after entry into force of the Treaty. During inspections conducted pursuant to paragraph 3, 4, 5(a), 7, or 8 of Article XI of the Treaty, inspectors may use any of the above listed equipment, other than cameras which will be operated only by the Inspected Party upon the request of the Inspecting Party. Upon the request of inspectors, the in-country escort will take duplicate, instant development photographs of inspected facilities with the Inspecting Party's cameras. Each Party will then receive one copy of every photograph. Thus, for all inspections, cameras will be operated only by the Inspected Party. During inspections conducted pursuant to subparagraph 5(b) of Article XI of the Treaty, all measurements, including photographs, will be made by the Inspected Party at the Inspecting Party's request.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
10. For inspections conducted pursuant to paragraphs 3, 4, 5, 7 or 8 of Article XI of the Treaty, inspectors shall permit the in-country escort to observe the equipment used during the inspection by the inspection team.	Paragraph 10 of Section VI provides that, for inspections conducted pursuant to paragraph 3, 4, 5, 7, or 8 of Article XI of the Treaty, inspectors will permit the in-country escort to observe the equipment used during the inspection.	
11. Measurements recorded during inspections shall be certified by the signature of a member of the inspection team and a member of the in-country escort when they are taken. Such certified data shall be included in the inspection report.	Paragraph 11 of Section VI provides that the measurements recorded during inspections must be certified by a member of the inspection team and a member of the in-country escort at the time of measurement. Such certified data will be included in the inspection report. Thus, measurements taken by either Party shall be observed by the other Party in order to certify the accuracy of that information.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
12. Inspectors shall have the right to request clarifications in connection with ambiguities that arise during an inspection. Such requests shall be made promptly through the in-country escort. The in-country escort shall provide the inspection team, during the inspection, with such clarifications as may be necessary to remove the ambiguity. In the event questions relating to an object or building located within the inspection site are not resolved, the inspected Party shall photograph the object or building as requested by the inspecting Party for the purpose of clarifying its nature and function. If the ambiguity cannot be removed during the inspection, then the question, relevant clarifications and a copy of any photographs taken shall be included in the inspection report.	Paragraph 12 of Section VI provides that inspectors may request (through the in-country escort) clarifications of ambiguities arising during an inspection. The in-country escort will provide the inspection team, during the inspection, with such clarification as may be necessary to remove the ambiguity. In the event questions about buildings or objects remain, the Inspected Party will photograph the object or building as requested by the Inspecting Party. If questions still remain, a description of them, any clarification provided, and a copy of any photographs taken will be included in the inspection report. Unresolved issues may be discussed within the framework of the Special Verification Commission established by Article XIII of the Treaty.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
13. In carrying out their activities, inspectors shall observe safety regulations established at the inspection site, including those for the protection of controlled environments within a facility and for personal safety. Individual protective clothing and equipment shall be provided by the inspected Party, as necessary.	Paragraph 13 of Section VI requires inspectors to observe safety regulations established at the inspection site, including regulations relating to the protection of controlled environments within a facility and regulations relating to personal safety. The Inspected Party is required to provide any protective gear that is needed.	
14. For inspections pursuant to paragraphs 3, 4, 5, 7 or 8 of Article XI of the Treaty, pre-inspection procedures, including briefings and safety-related activities, shall begin upon arrival of the inspection team at the inspection site and shall be completed within one hour. The inspection team shall begin the inspection immediately upon completion of the pre-inspection procedures. The period of inspection shall not exceed 24 hours, except for inspections pursuant to paragraphs 6, 7 or 8 of Article XI of the Treaty. The period of inspection may be extended, by agreement with the in-country escort, by no more than eight hours. Post-inspection procedures, which include completing the inspection report in accordance with the provisions of Section XI of this Protocol, shall begin immediately upon completion of the inspection and shall be completed at the inspection site within four hours.	Paragraph 14 of Section VI provides that, for inspections conducted pursuant to paragraph 3, 4, 5, 7, or 8 of Article XI of the Treaty, all pre-inspection procedures must be completed within one hour of arrival of the inspection team at the inspection site. Thus, this provision applies to all inspections except for continuous portal monitoring activities conducted pursuant to paragraph 6 of Article XI of the Treaty. Inspections are to begin immediately upon completion of pre-inspection procedures and may not exceed 24 hours, except for an inspection conducted pursuant to paragraph 6, 7, or 8 of Article XI of the Treaty. The 24-hour limit may be extended for inspections conducted pursuant to paragraphs 3, 4, and 5 of Article XI of the Treaty, with the agreement of the in-country escort, by no more than eight hours. Post-inspection procedures, including completion of the inspection report, are to be completed at the site within four hours after completion of the inspection.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
15. An inspection team conducting an inspection pursuant to Article XI of the Treaty shall include no more than ten inspectors, except for an inspection team conducting an inspection pursuant to paragraphs 7 or 8 of that Article, which shall include no more than 20 inspectors and an inspection team conducting an inspection activities pursuant to paragraph 6 of that Article, which shall include no more than 30 inspectors. At least two inspectors on each team must speak the language of the inspected Party. An inspection team shall operate under the direction of the team leader and deputy team leader. Upon arrival at the inspection site, the inspection team may divide itself into subgroups consisting of no fewer than two inspectors each. There shall be no more than one inspection team at an inspection site at any one time.	Paragraph 15 of Section VI limits the number of inspectors on inspection teams. Inspection teams may include no more than ten inspectors, except for an inspection team carrying out an "elimination" inspection pursuant to paragraph 7 or 8 of Article XI, of the Treaty, which may include no more than 20 inspectors, and except for inspection teams conducting inspection activities by means of continuous portal monitoring pursuant to pararaph 6 of Article XI of the Treaty, which may include no more than 30 inspectors. At least two inspectors on each team must speak the language of the Inspected Party. An inspection team will operate under the direction of a team leader and a deputy team leader. At the inspection site, the inspection team may divide itself into subgroups consisting of no fewer than two inspectors each, and only one inspection team will be allowed at a particular site at any one time.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	__ . Questions
16. Except in the case of inspections conducted pursuant to paragraphs 3, 4, 7 or 8 of Article XI of the Treaty, upon completion of the post-inspection procedures, the inspection team shall return promptly to the point of entry from which it commenced inspection activities and shall then leave, within 24 hours, the territory of the country in which the inspection site is located, using its own airplane. In the case of inspections conducted pursuant to paragraphs 3, 4, 7 or 8 of Article XI of the Treaty, if the inspection team intends to conduct another inspection it shall either: (a) notify the inspected Party of its intent upon return to the point of entry; or (b) notify the inspected Party of the type of inspection and the inspection site upon completion of the post-inspection procedures. In this case it shall be the responsibility of the inspected Party to ensure that the inspection team reaches the next inspection site without unjustified delay. The inspected Party shall determine the means of transportation and route involved in such travel. With respect to subparagraph (a), the procedures set forth in paragraph 7 of Section V of this Protocol and paragraphs 1 and 2 of Section VII of this Protocol shall apply.	Paragraph 16 of Section VI provides that, except in the case of an inspection conducted pursuant to paragraph 3, 4, 7, or 8 of Article XI of the Treaty, an inspection team will, upon completion of post-inspection procedures, return promptly to the point of entry from which it commenced inspection activities, and then leave the territory of the country in which the inspection site is located within 24 hours. A party may conduct sequential "baseline," "close-out," and "elimination" inspections with the same inspection team. In the case of an inspection conducted pursuant to paragraph 3, 4, 7, or 8 of Article XI of the Treaty, if the inspection team intends to conduct another inspection it will notify the Inspected Party of its intent either upon return to the point of entry (using the procedures specified in paragraph 7 of Section V and paragraph 1 and 2 of Section VII of the Protocol) or upon completion of post-inspection procedures at the previous inspection site. The Inspecting Party will be transported to the new inspection site by the Inspected Party, without unjustified delay, by means and routes chosen by the Inspected Party.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
VII. Inspections Conducted Pursuant to Paragraphs 3, 4 or 5 of Article XI of the Treaty 1. Within one hour after the time for the specification of the inspection site notified pursuant to paragraph 1(a) of Section IV of this Protocol, the inspected Party shall implement pre-inspection movement restrictions at the inspection site, which shall remain in effect until the inspection team arrives at the inspection site. During the period that pre-inspection movement restrictions are in effect, missiles, stages of such missiles, launchers or support equipment subject to the Treaty shall not be removed from the inspection site.	SECTION VII—INSPECTIONS CONDUCTED PURSUANT TO PARAGRAPH 3, 4, OR 5 OF ARTICLE XI OF THE TREATY Section VII set forth the detailed procedures for "baseline," "close-out," and "short-notice" inspections conducted pursuant to paragraphs 3, 4, and 5, respectively, of Article XI of the Treaty. Paragraph 1 of Section VII provides for the Inspected Party to implement pre-inspection movement restrictions at the inspection site within one hour of specification of the inspection site by the Inspecting Party. During this period of restrictions, no missile, stage of a missile, launcher, or support equipment subject to the Treaty may be removed from the site.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
2. The inspected Party shall transport the inspection team from the point of entry to the inspection site so that the inspection team arrives at the inspection site no later than nine hours after the time for the specification of the inspection site notified pursuant to paragraph 1(a) of Section IV of this Protocol.	**Paragraph 2 of Section VII provides that the Inspected Party will transport the inspection team from the point of entry so as to ensure the arrival of the inspection team at the inspection site within nine hours of specification of the site to be inspected.**	
3. In the event that an inspection is conducted in a basing country, the aircrew of the inspected Party may include representatives of the basing country.	**Paragraph 3 of Section VII provides that, for inspections in Basing Countries, the aircrew of the Inspected Party may include representatives of the Basing Country.**	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
4. Neither Party shall conduct more than one inspection pursuant to paragraph 5(a) of Article XI of the Treaty at any one time, more than one inspection pursuant to paragraph 5(b) of Article XI of the Treaty at any one time, or more than 10 inspections pursuant to paragraph 3 of Article XI of the Treaty at any one time.	Paragraph 4 of Section VII provides that neither Party may conduct more than one "short-notice" inspection pursuant to subparagraph 5(a) of Article XI of the Treaty at any one time, more than one "short-notice" inspection pursuant to subparagraph 5(b) of Article XI of the Treaty at any one time, or more than ten "baseline" inspections pursuant to paragraph 3 of Article XI of the Treaty at any one time.	
5. The boundaries of the inspection site at the facility to be inspected shall be the boundaries of that facility set forth in the Memorandum of Understanding.	Paragraph 5 of Section VII provides that the boundaries of inspection sites will be the boundaries set forth in the MOU.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
6. Except in the case of an inspection conducted pursuant to paragraphs 4 or 5(b) of Article XI of the Treaty, upon arrival of the inspection team at the inspection site, the in-country escort shall inform the inspection team leader of the number of missiles, stages of missiles, launchers, support structures and support equipment at the site that are subject to the Treaty and provide the inspection team leader with a diagram of the inspection site indicating the location of these missiles, stages of missiles, launchers, support structures and support equipment at the inspection site	Paragraph 6 of Section VII provides that, in the case of a "baseline" inspection or "short-notice" inspection of a declared facility, upon arrival of the inspection team at the inspection site the in-country escort will inform the inspection team leader of the number of missiles, stages of missiles, launchers, support structures, and support equipment subject to the Treaty at the inspection site and provide a diagram of the inspection site indicating the location of such items	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
7. Subject to the procedures of paragraphs 8 through 14 of this Section, inspectors shall have the right to inspect the entire inspection site, including the interior of structures, containers or vehicles, or including covered objects, whose dimensions are equal to or greater than the dimensions specified in Section VI of the Memorandum of Understanding for the missiles, stages of such missiles, launchers or support equipment of the inspected Party.	Paragraph 7 of Section VII provides that the inspection team may, subject to the provisions of paragraphs 8 through 14 of Section VII, inspect the entire inspection site, including the interior of structures, containers, and vehicles with dimensions equal to or greater than the dimensions specified in Section VI of the MOU for the missiles, missile stages, launchers, or support equipment of the Inspected Party.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
8. A missile, a stage of such a missile or a launcher subject to the Treaty shall be subject to inspection only by external visual observation, including measuring, as necessary, the dimensions of such a missile, stage of such a missile or launcher. A container that the inspected Party declares to contain a missile or stage of a missile subject to the Treaty, and which is not sufficiently large to be capable of containing more than one missile or stage of such a missile of the inspected Party subject to the Treaty, shall be subject to inspection only by external visual observation, including measuring, as necessary, the dimensions of such a container to confirm that it cannot contain more than one missile or stage of such a missile of the inspected Party subject to the Treaty. Except as provided for in paragraph 14 of this Section, a container that is sufficiently large to contain a missile or stage of such a missile of the inspected Party subject to the Treaty that the inspected Party declares not to contain a missile or stage of such a missile subject to the Treaty shall be subject to inspection only by means of weighing or visual observation of the interior of the container, as necessary, to confirm that it does not, in fact, contain a missile or stage of such a missile of the inspected Party subject to the Treaty. If such a container is a launch canister associated with a type of missile not subject to the Treaty, and declared by the inspected Party to contain such a missile, it shall be subject to external inspection only, including use of radiation detection devices, visual observation and linear measurement, as necessary, of the dimensions of such a canister.	Paragraph 8 of Section VII sets forth the procedures for physical on-site inspections: (i) external visual observation only (including measurement of dimensions) of missiles, stages of such missiles, or launchers subject to the Treaty, and of containers that the Inspected Party declares to contain a missile or stage of such missile of the Inspected Party subject to the Treaty and that are not large enough to contain more than one such missile or missile stage of the Inspected Party subject to the Treaty; (ii) inspection only by weighing or visual observation of a container's interior, for containers large enough to contain missiles or stages of such missiles subject to the Treaty that the Inspected Party declares do not contain a missile or missile stage of the Inspected Party subject to the Treaty (except as provided in subparagraph (iii) below, or during "short-notice" inspections of formerly declared facilities); (iii) external inspection only (including use of radiation detection devices, visual observation, and linear measurements of the dimensions of the canister) of launch canisters associated with a type of missile not subject to the Treaty and declared by the Inspected Party to contain such a missile.	SECTION VII Paragraph 8 136. Can we weigh or X-ray canisters at sites other than Votkinsk as a supplement to the external inspection? What are radiation detection devices as identified in the Treaty?

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
9. A structure or container that is not sufficiently large to contain a missile, stage of such a missile or launcher of the inspected Party subject to the Treaty shall be subject to inspection only by external visual observation including measuring, as necessary, the dimensions of such a structure or container to confirm that it is not sufficiently large to be capable of containing a missile, stage of such a missile or launcher of the inspected Party subject to the Treaty	Paragraph 9 of Section VII provides that structures or containers not large enough to contain a missile, stage of such missile, or launcher of the Inspected Party subject to the Treaty are subject to external visual inspection only (including measurement of dimensions) to confirm that they are not large enough to contain a missile, missile stage, or launcher of the Inspected Party subject to the Treaty	
10. Within a structure, a space which is sufficiently large to contain a missile, stage of such a missile or launcher of the inspected Party subject to the Treaty, but which is demonstrated to the satisfaction of the inspection team not to be accessible by the smallest missile, stage of a missile or launcher of the inspected Party subject to the Treaty shall not be subject to further inspection. If the inspected Party demonstrates to the satisfaction of the inspection team by means of a visual inspection of the interior of an enclosed space from its entrance that the enclosed space does not contain any missile, stage of such a missile or launcher of the inspected Party subject to the Treaty, such an enclosed space shall not be subject to further inspection	Paragraph 10 of Section VII states that if the Inspected Party satisfies an inspection team that an interior space within a structure is not accessible by the smallest missile, missile stage, or launcher of the Inspected Party subject to the Treaty, that space may not be inspected further. Moreover, if an inspector can ascertain by means of visual inspection of the interior of an enclosed space from its entrances that the space does not contain any missiles, missile stages, or launchers of the Inspected Party subject to the Treaty, that space may not be inspected further.	Paragraph 10 127. What happens if the inspection party is not satisfied that the enclosed space does not contain any missile, stage of a missile or launcher? 128. Does the prohibition on further inspections apply only to the inspection then underway, or would it apply to subsequent inspections of the same facility? 129. In the latter case, could the enclosed space be inspected if a party has evidence that the dimensions of the space have changed so that it could now contain a treaty-limited item? Can U.S. inspectors be denied access to the interiors of SS-20 and SS-25 garages to conduct inspections therein?

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
11 The inspection team shall be permitted to patrol the perimeter of the inspection site and station inspectors at the exits of the site for the duration of the inspection	Paragraph 11 of Section VII provides that an inspection team may patrol the perimeter of the inspection site and may station inspectors at the exits for the duration of the inspection.	
12 The inspection team shall be permitted to inspect any vehicle capable of carrying missiles, stages of such missiles, launchers or support equipment of the inspected Party subject to the Treaty at any time during the course of an inspection and no such vehicle shall leave the inspection site during the course of the inspection until inspected at site exits by the inspection team	Paragraph 12 of Section VII provides that the inspection team may, during inspections, inspect any vehicles capable of carrying missiles, missile stages, launchers, or support equipment of the Inspected Party subject to the Treaty and that no such vehicle will leave the site during the inspection until it has been inspected.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
13. Prior to inspection of a building within the inspection site, the inspection team may station subgroups at the exits of the building that are large enough to permit passage of any missile, stage of such a missile, launcher or support equipment of the inspected Party subject to the Treaty. During the time that the building is being inspected, no vehicle or object capable of containing any missile, stage of such a missile, launcher or support equipment of the inspected Party subject to the Treaty shall be permitted to leave the building until inspected.	Paragraph 13 of Section VII provides that, prior to inspection of a building, the inspection team may station subgroups at the exits that are large enough to permit passage of missiles, missile stages, launchers, or support equipment of the Inspected Party subject to the Treaty. During the period of the building inspection, no vehicles or objects capable of containing missiles, missile stages, launchers, or support equipment of the Inspected Party subject to the Treaty may leave the building until inspected.	
14. During an inspection conducted pursuant to paragraph 5(b) of Article XI of the Treaty, it shall be the responsibility of the inspected Party to demonstrate that a shrouded or environmentally protected object which is equal to or larger than the smallest missile, stage of a missile or launcher of the inspected Party subject to the Treaty is not, in fact, a missile, stage of such a missile or launcher of the inspected Party subject to the Treaty. This may be accomplished by partial removal of the shroud or environmental protection cover, measuring, or weighing the covered object or by other methods. If the inspected Party satisfies the inspection team by its demonstration that the object is not a missile, stage of such a missile or launcher of the inspected Party subject to the Treaty, then there shall be no further inspection of that object. If the container is a launch canister associated with a type of missile not subject to the Treaty, and declared by the inspected Party to contain such a missile, then it shall be subject to external inspection only, including use of radiation detection devices, visual observation and linear measurement, as necessary, of the dimensions of such a canister.	Paragraph 14 of Section VII provides that during a "short-notice" inspection of a formerly declared facility conducted pursuant to subparagraph 5(b) of Article XI of the Treaty, it will be the responsibility of the Inspected Party to demonstrate that a shrouded or environmentally protected item that is equal to or larger in size than the smallest missile, missile stage, or launcher of the Inspected Party subject to the Treaty is not, in fact, such an item. This may be accomplished by partial removal of a shroud or environmental protection cover, by measuring or weighing the covered item, or by other methods. There may be no further inspection of the object if the Inspected Party satisfies the inspection team that the object is not a missile, missile stage, or launcher of the Inspected Party subject to the Treaty. If the container is a launch canister associated with a type of missile not subject to the Treaty (and so declared by the Inspected Party), it is subject to external inspection only (including the use of radiation detection devices, visual observation, and linear measurement).	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
VIII. Inspections Conducted Pursuant to Paragraphs 7 or 8 of Article XI of the Treaty 1. Inspections of the process of elimination of items of missile systems specified in the Protocol on Elimination carried out pursuant to paragraph 7 of Article XI of the Treaty shall be conducted in accordance with the procedures set forth in this paragraph and the Protocol on Elimination. (a) Upon arrival at the elimination facility, inspectors shall be provided with a schedule of elimination activities.	**SECTION VIII—INSPECTIONS CONDUCTED PURSUANT TO PARAGRAPH 7 OR 8 OF ARTICLE XI OF THE TREATY** Section VIII provides detailed procedures for inspections of elimination of missiles, launchers, and support equipment subject to the Treaty. The precise actions that must be undertaken in order to accomplish such elimination are set forth in the Protocol on Elimination. As required by paragraph 7 of Article XI, inspectors are required to be present during the process of elimination. Paragraph 1 of Section VIII states that inspections of the elimination process carried out pursuant to paragraph 7 of Article XI of the Treaty will be conducted according to procedures in this paragraph and the Protocol on Elimination. Subparagraph 1(a) states that inspectors will be provided with a schedule of elimination activities upon arrival at the elimination facility.	
(b) Inspectors shall check the data which are specified in the notification provided by the inspected Party regarding the number and type of items of missile systems to be eliminated against the number and type of such items which are at the elimination facility prior to the initiation of the elimination procedures.	Subparagraph 1(b) provides that inspectors will compare the data provided by the Inspected Party, in its notification of elimination required in subparagraphs 5(c) or 5(d) of Article IX of the Treaty, with the actual number and types of missile systems to be eliminated at the elimination site, prior to the initiation of elimination.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
(c) Subject to paragraphs 3 and 11 of Section VI of this Protocol, inspectors shall observe the execution of the specific procedures for the elimination of the items of missile systems as provided for in the Protocol on Elimination. If any deviations from the agreed elimination procedures are found, the inspectors shall have the right to call the attention of the in-country escort to the need for strict compliance with the above mentioned procedures. The completion of such procedures shall be confirmed in accordance with the procedures specified in the Protocol on Elimination.	Subparagraph 1(c) states that (subject to paragraphs 3 and 11 of Section VI of the Protocol) inspectors will observe the execution of elimination procedures as provided for in the Protocol on Elimination and will have the right to call to the attention of the in-country escort the need for strict compliance with such procedures. The completion of such procedures will be confirmed in accordance with the procedures set forth in paragraph 8 of Section II of the Protocol on Elimination.	
(d) During the elimination of missiles by means of launching, the inspectors shall have the right to ascertain by visual observation that a missile prepared for launch is a missile of the type subject to elimination. The inspectors shall also be allowed to observe such a missile from a safe location specified by the inspected Party until the completion of its launch. During the inspection of a series of launches for the elimination of missiles by means of launching, the inspected Party shall determine the means of transport and route for the transportation of inspectors between inspection sites.	Subparagraph 1(d) states that inspectors may ascertain visually that a missile to be eliminated by launching is a missile of a type subject to elimination and may observe such a missile (from a safe location specified by the Inspected Party) until completion of its launch. During the inspection of a series of launches, the Inspected Party will determine the means and route for the transportation of the inspection team between inspection sites. Paragraph 5 of Article X of the Treaty stipulates that each Party may eliminate up to 100 of its intermediate-range missiles by launching, provided that it does so within the first six months after entry into force of the Treaty.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
2. Inspections of the elimination of items of missile systems specified in the Protocol on Elimination carried out pursuant to paragraph 8 of Article XI of the Treaty shall be conducted in accordance with the procedures set forth in Sections II, IV or V of the Protocol on Elimination or as otherwise agreed by the Parties	Paragraph 2 of Section VIII states that inspections of the elimination of items carried out pursuant to paragraph 8 of Article XI of the Treaty (i.e., elimination *in situ*, by loss or accidental destruction, for training items, or by static display) will be conducted in accordance with the appropriate procedures set forth in the Protocol on Elimination or as otherwise agreed by the Parties	SECTION VIII Paragraph 2 130. What inspection rules govern inspections of the elimination of training missiles and launchers? Under the Protocol on Elimination, Section IV, Paragraph 3(c), does each Party have the right to observe, using on-site inspection, the actual elimination of training items, or merely to use on-site inspection to confirm the "completion" of these elimination procedures?

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
IX. Inspection Activities Conducted Pursuant to Paragraph 6 of Article XI of the Treaty 1. The inspected Party shall maintain an agreed perimeter around the periphery of the inspection site and shall designate a portal with not more than one rail line and one road which shall be within 50 meters of each other. All vehicles which can contain an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party shall exit only through this portal.	SECTION IX—INSPECTION MONITORING CONDUCTED PURSUANT TO PARAGRAPH 6 OF ARTICLE XI OF THE TREATY Section IX contains the procedures to be followed by the Parties for the establishment and operation of continuous portal monitoring systems on each other's territory. Upon entry into force, such systems shall be established in the Soviet Union at the SS-25 final assembly facility in Votkinsk, and in the United States at those parts of the Hercules Plant Number 1 in Magna, Utah, as specified in the MOU. Paragraph 1 of Section IX provides that the Inspected Party will maintain an agreed upon perimeter around the periphery of an inspection site and will designate one portal for each site through which not more than one rail line and one road will pass, and through which all vehicles that can contain an intermediate-range GLBM or longest stage of such a GLBM must exit. Note that only this single exit from a facility is referred to as a "portal."	SECTION IX Paragraph 1 131. What constitutes an "agreed perimeter"?

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
2. For the purposes of this Section, the provisions of paragraph 10 of Article VII of the Treaty shall be applied to intermediate-range GLBMs of the inspected Party and the longest stage of such GLBMs.	Paragraph 2 of Section IX states that, for the purposes of this Section, the provisions of paragraph 10 of Article VII of the Treaty will be applied to intermediate-range GLBMs of the Inspected Party and to the longest stage of such GLBMs. Subparagraph 10(a) of Article VII stipulates that, for GLBMs that are stored or moved in separate stages, the longest stage of an intermediate-range or shorter-range missile will be counted as a complete missile. Subparagraph 10(b) provides that, for GLBMs that are not stored or moved in separate stages, a canister of the type used to launch an intermediate-range GLBM will be counted as a complete GLBM, unless the Inspected Party proves otherwise to the satisfaction of the Inspecting Party. Thus, throughout Section IX, wherever the phrase "intermediate-range GLBMs of the Inspected Party and the longest stage of such GLBMs" appears, the last part of that phrase applies to GLBMs that are stored and moved in separate stages, and the first part applies to other GLBMs.	
3. There shall not be more than two other exits from the inspection site. Such exits shall be monitored by appropriate sensors. The perimeter of and exits from the inspection site may be monitored as provided for by paragraph 11 of Section VII of this Protocol.	Paragraph 3 of Section IX states that inspection site exits other than the portal designated pursuant to paragraph 1 of Section IX will be monitored by appropriate sensors and that there will be no more than two such exits at each site. The perimeter and the inspection site exits may be monitored in accordance with paragraph 11 of Section VII of the Protocol. Thus, all exists may be monitored with sensors and with inspectors.	Paragraph 3 133. What are "appropriate" sensors? Are any sensors "inappropriate"?

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
4. The inspecting Party shall have the right to establish continuous monitoring systems at the portal specified in paragraph 1 of this Section and appropriate sensors at the exits specified in paragraph 3 of this Section and carry out necessary engineering surveys, construction, repair and replacement of monitoring systems.	Paragraph 4 of Section IX provides that the Inspecting Party may establish continuous portal monitoring systems at the portal specified in paragraph 1 above, and may establish appropriate sensors at the exits specified in paragraph 3 above. It may also carry out necessary engineering surveys, construction, repair, and replacement of monitoring systems.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
5. The inspected Party shall, at the request of and at the expense of the inspecting Party, provide the following: (a) all necessary utilities for the construction and operation of the monitoring systems, including electrical power, water, fuel, heating and sewage; (b) basic construction materials including concrete and lumber; (c) the site preparation necessary to accommodate the installation of continuously operating systems for monitoring the portal specified in paragraph 1 of this Section, appropriate sensors for other exits specified in paragraph 3 of this Section and the center for collecting data obtained during inspections. Such preparation may include ground excavation, laying of concrete foundations, trenching between equipment locations and utility connections; (d) transportation for necessary installation tools, materials and equipment from the point of entry to the inspection site; and (e) a minimum of two telephone lines and, as necessary, high frequency radio equipment capable of allowing direct communication with the embassy of the inspecting Party in the country in which the site is located.	Paragraph 5 of Section IX states that, with respect to the monitoring systems, the Inspected Party will provide, upon the request and at the expense of the Inspecting Party: all necessary utilities for their construction and operation; basic construction materials; site preparation, transportation of necessary installation tools, materials, and equipment from the point of entry; and telephone lines and high frequency radio equipment for in-country communication with the embassy of the Inspecting Party. Thus, although the Inspecting Party pays the costs, the Inspected Party is required to provide necessary support for the monitoring systems.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
6. Outside the perimeter of the inspection site, the inspecting Party shall have the right to: (a) build no more than three buildings with a total floor space of not more than 150 square meters for a data center and inspection team headquarters, and one additional building with floor space not to exceed 500 square meters for the storage of supplies and equipment; (b) install systems to monitor the exits to include weight sensors, vehicle sensors, surveillance systems and vehicle dimensional measuring equipment; (c) install at the portal specified in paragraph 1 of this Section equipment for measuring the length and diameter of missile stages contained inside of launch canisters or shipping containers; (d) install at the portal specified in paragraph 1 of this Section non-damaging image producing equipment for imaging the contents of launch canisters or shipping containers declared to contain missiles or missile stages as provided for in paragraph 11 of this Section; (e) install a primary and back-up power source; and (f) use, as necessary, data authentication devices	Paragraph 6 of Section IX states that the Inspecting Party may, outside of the inspection site perimeter, construct up to three buildings of a specified size for a data center and inspection team headquarters and one additional building for supply and equipment storage; install systems to monitor exits (including sensors and measuring equipment); install measuring equipment at the portal; install non-damaging image producing equipment at the portal; install power sources; and use agreed-upon data authentication devices.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
7. During the installation or operation of the monitoring systems, the inspecting Party shall not deny the inspected Party access to any existing structures or security systems. The inspecting Party shall not take any actions with respect to such structures without consent of the inspected Party. If the Parties agree that such structures are to be rebuilt or demolished, either partially or completely, the inspecting Party shall provide the necessary compensation.	Paragraph 7 of Section IX provides that, during installation or operation of monitoring systems, the Inspecting Party will not deny the Inspected Party access to any existing structures or security systems or take any other actions with respect to such structures without the consent of the Inspected Party. The Inspecting Party will compensate the Inspected Party for any agreed upon rebuilding or demolition of such structures.	
8. The inspected Party shall not interfere with the installed equipment or restrict the access of the inspection team to such equipment.	Paragraph 8 of Section IX provides that the Inspected Party will not interfere with the installed equipment or restrict inspecting team access thereto.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
9. The inspecting Party shall have the right to use its own two-way systems of radio communication between inspectors patrolling the perimeter and the data collection center. Such systems shall conform to power and frequency restrictions established on the territory of the inspected Party.	Paragraph 9 of Section IX states that, subject to the Inspected Party's radio power and frequency restrictions, the Inspecting Party may use its own radio systems for communications between inspectors and data collection centers.	
10. Aircraft shall not be permitted to land within the perimeter of the monitored site except for emergencies at the site and with prior notification to the inspection team.	Paragraph 10 of Section IX states that aircraft may not land within the perimeter of a monitored site except for emergencies and with prior notificaiton to the inspection team.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
11. Any shipment exiting through the portal specified in paragraph 1 of this Section which is large enough and heavy enough to contain an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party shall be declared by the inspected Party to the inspection team before the shipment arrives at the portal. The declaration shall state whether such a shipment contains a missile or missile stage as large or larger than and as heavy or heavier than an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party.	Paragraph 11 of Section IX provides that the Inspected Party must make a declaration with respect to any shipment large and heavy enough to contain an intermediate-range GLBM or the longest stage of such a GLBM of the Inspected Party. Such shipments must pass through the portal specified in paragraph 1 above. The declaration will specify whether the shipment contains a missile or missile stage as large or larger than, and as heavy or heavier than, an intermediate-range GLBM or longest stage of such a GLBM. The declaration will be made prior to the arrival of the shipment at the portal.	
12. The inspection team shall have the right to weigh and measure the dimensions of any vehicle, including railcars, exiting the site to ascertain whether it is large enough and heavy enough to contain an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party. These measurements shall be performed so as to minimize the delay of vehicles exiting the site. Vehicles that are either not large enough or not heavy enough to contain an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party shall not be subject to further inspection.	Paragraph 12 of Section IX provides that an inspection team may weigh and measure the dimensions of any vehicle, including railcars, exiting the site. If such a vehicle is not large or heavy enough to contain an intermediate-range GLBM or the longest stage of such a GLBM, then that vehicle will not be subject to further inspection.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	____, Questions
13 Vehicles exiting through the portal specified in paragraph 1 of this Section that are large enough and heavy enough to contain an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party but that are declared not to contain a missile or missile stage as large or larger than and as heavy or heavier than an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party shall be subject to the following procedures (a) The inspecting Party shall have the right to inspect the interior of all such vehicles (b) If the inspecting Party can determine by visual observation or dimensional measurement that, inside a particular vehicle, there are no containers or shrouded objects large enough to be or to contain an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party, then that vehicle shall not be subject to further inspection (c) If inside a vehicle there are one or more containers or shrouded objects large enough to be or to contain an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party, it shall be the responsibility of the inspected Party to demonstrate that such containers or shrouded objects are not and do not contain intermediate-range GLBMs or the longest stages of such GLBMs of the inspected Party	Paragraph 13 of Section IX provides that vehicles exiting through the portal specified in paragraph 1 above that are large enough and heavy enough to contain an intermediate-range GLBM or longest stage of such a GLBM, but are declared by the Inspected Party not to contain a missile or missile stage as large or larger than and as heavy or heavier than an intermediate-range GLBM or longest stage of such a GLBM, will be subject to inspection. The Inspecting Party will have the right to inspect the interior of all such vehicles. If the vehicle has no container or shrouded object large enough to be or contain an intermediate-range GLBM or longest stage of such a GLBM there will be no further inspection; if the vehicle does contain such a container or object, the Inspected Party must demonstrate that the container or object is not and does not contain an intermediate-range GLBM or longest stage of such a GLBM.	Paragraph 13 133. What does "responsibility of the inspected Party to demonstrate" mean? Does it mean to demonstrate to the inspectors' satisfaction?

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
14 Vehicles exiting through the portal specified in paragraph 1 of this Section that are declared to contain a missile or missile stage as large or larger than and as heavy or heavier than an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party shall be subject to the following procedures (a) The inspecting Party shall preserve the integrity of the inspected missile or stage of a missile (b) Measuring equipment shall be placed only outside of the launch canister or shipping container; all measurements shall be made by the inspecting Party using the equipment provided for in paragraph 6 of this Section Such measurements shall be observed and certified by the in-country escort (c) The inspecting Party shall have the right to weigh and measure the dimensions of any launch canister or of any shipping container declared to contain such a missile or missile stage and to image the contents of any launch canister or of any shipping container declared to contain such a missile or missile stage; it shall have the right to view such missiles or missile stages contained in launch canisters or shipping containers eight times per calendar year The in-country escort shall be present during all phases of such viewing During such interior viewing (i) the front end of the launch canister or the cover of the shipping container shall be opened, (ii) the missile or missile stage shall not be removed from its launch canister or shipping container, and (iii) the length and diameter of the stages of the missile shall be measured in accordance with the methods agreed by the Parties so as to ascertain that the missile or missile stage is not an intermediate range GLBM of the inspected Party, or the longest stage of such a GLBM, and that the missile has no more than one stage which is outwardly similar to a stage of an existing type of intermediate range GLBM (d) The inspecting Party shall also have the right to inspect any other containers or shrouded objects inside the vehicle containing such a missile or missile stage in accordance with the procedures in paragraph 13 of this Section	Paragraph 14 of Section IX states that vehicles, exiting through the portal specified in paragraph 1 above, that are declared to contain a missile or missile stage as large or larger than, and as heavy or heavier than, an intermediate-range GLBM or the longest stage of such a GLBM are subject to the following inspection procedures (i) the integrity of the inspected missile or stage shall be preserved by the Inspecting Party; (ii) measurements will be made by the Inspecting Party using approved equipment, which will be placed only outside the launch canister or shipping container, and the measurements will be observed and certified by the in-country escort, (iii) launch canisters and shipping containers declared to contain such a missile or missile stage may be weighed and measured, and their contents imaged by the Inspecting Party in the presence of the in-country escort The Inspecting Party may view the interior of launch canisters or shipping containers brought out from the inspection site eight times per calendar year During such viewing, the front end of the launch canister or the cover of the shipping container will be opened, the missile or missile stage will not be removed from its canister or container, and the length and diameter of the stages of the missile will be measured in accordance with agreed methods so as to ascertain that the missile or missile stage is not an intermediate-range GLBM, or the longest stage of such a GLBM, and that the missile has no more than one stage that is outwardly similar to a stage of an existing type of intermediate-range GLBM, and (iv) the Inspecting Party may inspect any other containers or shrouded objects inside a vehicle containing such a missile or missile stage pursuant to paragraph 13 above	**Paragraph 14** 134. In conducting the inspection under subparagraph (c), does the eight times per calendar year apply to individual missiles, or individual stages, or individual launch canisters, or individual shipping containers, or to all of these components combined? Why eight? Can the "non-damaging image producing equipment" authorized in paragraph 6 be used to measure under this paragraph? What is "non-damage image producing equipment"? Is it different than radiation detection devices?

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
X. Cancellation of Inspection An inspection shall be cancelled if, due to circumstances brought about by *force majeure*, it cannot be carried out. In the case of a delay that prevents an inspection team performing an inspection pursuant to paragraphs 3, 4 or 5 of Article XI of the Treaty, from arriving at the inspection site during the time specified in paragraph 2 of Section VII of this Protocol, the inspecting Party may either cancel or carry out the inspection. If an inspection is cancelled due to circumstances brought about by *force majeure* or delay, then the number of inspections to which the inspecting Party is entitled shall not be reduced.	SECTION X – CANCELLATION OF INSPECTIONS Section X provides that inspections shall be cancelled if they cannot be carried out by reason of *force majeure* (i.e., a "superior or irresistible force" outside the control of the Parties that could not be avoided by the exercise of due care). In addition, if the inspection team performing a "baseline," "close-out," or "short-notice" inspection pursuant to paragraph 3, 4, or 5, respectively, of Article XI of the Treaty is delayed and fails to arrive by the specified time, the inspection may be cancelled or carried out at the Inspecting Party's option. Inspections cancelled by reason of *force majeure* or delay will not reduce the number of inspections to which the Inspecting Party is entitled. Thus, this provision gives only the Inspecting Party the option to cancel or carry out an inspection.	SECTION X 135. Inspections may be cancelled if, due to circumstances brought about by force majeure, they cannot be carried out. What is the definition of "force majeure" in US domestic law? in international law? in Soviet law? Is there agreement between the two parties as to the meaning of the term force majeure?

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
XI. Inspection Report 1. For inspections conducted pursuant to paragraphs 3, 4, 5, 7 or 8 of Article XI of the Treaty, during post inspection procedures, and no later than two hours after the inspection has been completed, the inspection team leader shall provide the in-country escort with a written inspection report in both the English and Russian languages. The report shall be factual. It shall include the type of inspection carried out, the inspection site, the number of missiles, stages of missiles, launchers and items of support equipment subject to the Treaty observed during the period of inspection and any measurements recorded pursuant to paragraph 10 of Section VI of this Protocol. Photographs taken during the inspection in accordance with agreed procedures, as well as the inspection site diagram provided for by paragraph 6 of Section VII of this Protocol, shall be attached to this report.	SECTION XI—INSPECTION REPORT Section XI specifies the procedures the Parties will follow in filing reports concerning inspections made pursuant to the Treaty. These reports will provide a written record of the inspections. Paragraph 1 of Section XI states that, with respect to inspections conducted pursuant to paragraph 3, 4, 5, 7, or 8 of Article XI of the Treaty (i.e., all types of inspections except inspection activities by means of continuous portal monitoring), the inspection team leader will provide the in-country escort with a copy of the inspection report no later than two hours after an inspection is completed. The report will include the type of inspection; the inspection site; the number of missiles, missile stages, launchers, and support equipment observed during the inspection; and any measurements recorded during inspections. All photographs taken during the inspection and the inspection site diagram will be attached to the report, and the report will be written in both English and Russian	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
2. For inspection activities conducted pursuant to paragraph 6 of Article XI of the Treaty, within 3 days after the end of each month, the inspection team leader shall provide the in-country escort with a written inspection report both in the English and Russian languages. The report shall be factual. It shall include the number of vehicles declared to contain a missile or stage of a missile as large or larger than and as heavy or heavier than an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party that left the inspection site through the portal specified in paragraph 1 of Section IX of this Protocol during that month. The report shall also include any measurements of launch canisters or shipping containers contained in these vehicles recorded pursuant to paragraph 11 of Section VI of this Protocol. In the event the inspecting Party, under the provisions of paragraph 14(c) of Section IX of this Protocol, has viewed the interior of a launch canister or shipping container declared to contain a missile or stage of a missile as large or larger than and as heavy or heavier than an intermediate-range GLBM or longest stage of such a GLBM of the inspected Party, the report shall also include the measurements of the length and diameter of missile stages obtained during the inspection and recorded pursuant to paragraph 11 of Section VI of this Protocol. Photographs taken during the inspection in accordance with agreed procedures shall be attached to this report.	**Paragraph 2 of Section XI states that, with respect to inspections carried out pursuant to paragraph 6 of Article XI of the Treaty (i.e., inspection activities by means of continuous portal monitoring), a report similar to that called for in paragraph 1 of this Section shall be provided within three days of the end of each month.**	

Senator **Warner**. I will read the opening paragraph. As Senator Nunn discussed with Max Kampelman this morning, enclosed is a list of questions relating to the interpretation of the INF Treaty prepared by the majority and minority staffs of this committee at our direction. We provide them such that you will have the opportunity to be prepared today and tomorrow.

It was a joint undertaking by myself and the chairman and our respective staff. I do not think that the volume of the questions should at this time reflect in any way concern that we might have that this treaty has a great deal of ambiguity in it. They are what we feel necessary technical clarifications. I am sure that you and other administration witnesses can provide such clarification.

Chairman **Nunn**. Senator Warner, I agree with that completely. I think these questions are necessary and they are important. You are going to have those kind of questions with any treaty of this magnitude. It is inevitable. This does not mean that they cannot be answered, they are points that have to be clarified. So I agree with you.

Senator **Warner**. There should be no presumption at the outset that there is a deep concern by virtue of the volume and the nature of the questions that there are a lot of ambiguities.

Chairman **Nunn**. Senator Glenn.

Senator **Glenn**. I just wanted to ask a question.

Is there any estimate, Mr. Chairman, of the time it is going to take to go through the INF Treaty negotiating record that Bob Bell and others are examining, because some of the issues that come out of that might well be the subject of questions for Mr. Glitman.

Chairman **Nunn**. Senator Glenn, the ABM Treaty negotiating record that was sent over was about three volumes. The INF Treaty negotiating record is about 31 volumes. The ABM Treaty negotiating record probably took 300 to 400 hours to review. If you multiply that by 30, you would get the approximate amount of time it would take to review the INF Treaty negotiating record.

Obviously the negotiating record is very, very long and detailed. I do not think you are going to find anybody that has gone through every word of this treaty. I believe that is virtually impossible. I believe that by the time we get through the examination of this record it will be plain to everyone why the executive branch's testimony in past years has always been deemed to be authoritative, and has been accepted as authoritative, and that the Congress, the Senate particularly, has never felt it necessary to go through the negotiating record but has, rather, taken the word of the administration.

It is very regrettable that we now have to shift from that procedure. I hope by the time we get through this and have the treaty on the floor of the Senate, that everyone will recognize that and will be able to make some new rules and procedures that would henceforth avoid this necessity.

In answer to your question, it is very long and difficult. My staff is going to start on it today, and I think other people will also have questions on it. I cannot give you an exact estimate of time. It is going to take some time to go through, and I imagine that most people will be going through it with the idea in mind of picking out the areas of most concern and really bearing down on those rather than going through every single word which would literally take probably one person at least months, if not longer.

Senator **Glenn**. Mr. Chairman, I was not implying that it should not be done. In fact, I favor it. I back your efforts on this issue entirely, and I think it should be done. I am sorry that it is necessary. I am sorry that there was a reinterpretation of the ABM Treaty.

I just did not know whether you had set 2 weeks, or 30 days, or 2 months, or the end of the year for the complete analysis of the INF Treaty negotiating record.

Chairman **Nunn**. We really have not.

I think after another week, once we get into it in detail, we will have a better assessment.

Senator **Warner**. Senator, I might ask, you said there was been a reinterpretation of the ABM Treaty.

Could you clarify that?

Senator **Glenn**. That is subject to a bit of debate. I am talking about the narrow versus the broad interpretation.

Senator **Warner**. Well, it is indeed a subject that is a lively topic of discussion, but the President has steadfastly said that this is not a reinterpretation.

Senator **Glenn**. Well, the President and I happen to disagree on that, along with a lot of other Senators.

Senator **Warner**. I do not think he has taken any official position on reinterpreting the treaty. I just want to make that clear.

Senator **Glenn**. Well, it is the impression of a lot of us here that the treaty was reinterpreted, and that is not the subject of today's hearing, and we can discuss that at some other time.

Chairman **Nunn**. Ambassador Glitman can straighten all that out if he would like to today. [Laughter.]

Or we could go on to the INF Treaty, depending on his preference.

Senator **Cohen**. I think it is probably an American version of Perestroika.

Chairman **Nunn**. If not, glasnost.

Do any other members have any opening statements?

Senator **Exon**. I have nothing other than to say, Mr. Chairman, welcome, Mr. Ambassador. We have been with you on many occasions.

I think it is sad that we have to go through the exercise that we are going to go through here, but I think it is fundamentally necessary and important that we do so to protect the prerogatives of the U.S. Senate in the future, and I salute the chairman for having these hearings, as detailed as they are going to be. I think they are most necessary.

Chairman **Nunn**. Thank you, Senator Exon, Senator Cohen.

[The prepared statement of Senator Warner follows:]

PREPARED STATEMENT OF SENATOR JOHN WARNER

Thank you, Mr. Chairman. I join the chairman in extending a warm welcome to Ambassador Glitman. I would like to congratulate the Ambassador for having negotiated the treaty that is before the committee. Your tenacity and negotiating skill were vital factors that helped forge its successful completion, and we look forward to your testimony before this committee specifically because of your leadership and direct participation in the negotiations of the INF Treaty. I am sure your insights to and understanding of the treaty will help the members of this committee enormously as they consider their consent to ratification.

To aid you in answering our questions today, Senator Nunn and and I wrote a letter to Secretary of State George Shultz on February 17 which had attached to it 135 questions on treaty language. I hope that you have had an opportunity to review these questions. Over the course of the next two days I am certain that many, if not all, of the questions can be clarified to the satisfaction of committee members by your expert testimony.

Senator Nunn and I also stated in the letter to Secretary Shultz that it is our intention to proceed with an article by article review of the treaty. Our objective is to conduct the questioning in a systematic and thorough manner. We hope this is possible and ask you and other committee members to help in this endeavor.

Finally, I would like to address the issue of the negotiating record. Today, selected committee staff members were given access to portions of the INF Treaty negotiating record. We would like to hold open the option of recalling you before a closed session of the committee to address any additional questions which may arise from our review.

Again, Ambassador Glitman, I welcome you to this committee and look forward to your testimony.

Chairman **Nunn**. Mr. Ambassador, we welcome you. We are glad you are here.

If you would like to make some opening statement, we will be delighted to have it.

STATEMENT OF HON. MAYNARD G. GLITMAN, CHIEF NEGOTIATOR, INF TREATY

Ambassador **Glitman**. Thank you very much, Mr. Chairman.

I will submit for the record a copy of the statement I made at the beginning of the hearings with the Senator Foreign Relations Committee. It is a very comprehensive review of the negotiations.

But I would like, with your permission, just to paraphrase parts of it which I think are of particular importance to this committee.

Chairman **Nunn**. That will be fine, and we will have your whole statement in the record, just as authoritative as if read.

Ambassador **Glitman**. No, I am not going to enter into that, Senator. [Laughter.]

The Soviet INF missile systems have posed a major problem for the United States and the alliance security for many years. We sought on several occasions to constrain these systems via arms control negotiations, but they escaped capture.

For almost two decades, the Soviets had a virtual monopoly on longer range INF missiles, free from any limitations. Then, during the time when the Soviet Union began to reach strategic parity with the United States, the SS-20 made its appearance. That, in turn, triggered off the series of events which culminated nearly over 11 years later in the signing of the INF Treaty.

That treaty not only captures INF missile systems, it provides for their elimination. The class of Soviet nuclear weapons which for decades had threatened our allies in Europe and Asia, decoupling weapons with a proven capability for political intimidation, will cease to exist under this agreement.

In accepting this treaty providing for the demise of this class of weapons, the Soviet Union recognizes the legitimacy of the United States and its NATO allies joining together in collective security arrangements to deter Soviet pressure against NATO Europe via the deployment in Europe of United States nuclear forces.

The treaty is a legal document, and its detail and phrasing reflect this. But in its essence, it incorporates the basic arms reduction goals and policies that the United States, in close consultation with its allies, has pursued since the formal INF negotiations opened in late 1981. These goals and this policy in turn had their basis in NATO's December 1979 decision to overcome the challenge posed to alliance security by the Soviet intermediate range missile force through a dual track approach of counterdeployments and negotiations.

You will see in my statement for the record, Mr. Chairman, that we set forth a series of five basic principles that we insisted be reflected in the treaty. They were equality of rights and limits between the United States and the Soviet Union, limitations on United States and Soviet systems only, global application of limitations, unweakened maintenance of NATO's conventional defense capability, and effective verifiability of any agreement.

In addition to these principles, the United States and its NATO allies also made inclusion in the INF Treaty of constraints on shorter range INF missiles a basic tenet of the U.S. approach to the negotiations.

When you read through the formal statement, you will see I spelled out how we have managed and succeeded in getting every one of those principles, plus the constraints on the shorter range INF missiles inside the treaty so that everything that NATO and we demanded be in the treaty in fact is in the treaty. All of those criteria are there.

Let me pass on, then, in the interests of moving us to what I know we all want to do, namely, get on to the details, with just some discussion of the future, and then some final conclusions.

The INF agreement is of historic proportions. The suggestion that INF missiles are superfluous when compared with the vast number of strategic systems begs the question of why they were built and deployed in the first place and forgets the deep concern which Soviet INF missiles engendered in Europe and Asia. Elements of the INF Treaty can provide useful precedents for the emerging conventional stability negotiations as well as for START.

Each of these negotiations, of course, has its own dynamics and requirements. Neither envisages a zero outcome. Nevertheless, recognition of the principle of equal rights and limits and of asymmetrical reductions to reach equality can be useful precedents in other arms control negotiations. The sides could also draw upon the procedures in the INF elimination protocol and build on aspects of the INF inspection protocol in future negotiations.

More generally, the INF Treaty is a positive example of United States and Soviet determination and ability to resolve controversial issues. Nevertheless, it remains fundamentally true that improved East-West relations cannot be based solely on arms control. Arms alone do not create insecurity. Arms are as much if not more a manifestation of tension as the cause of tension. Progress in arms control alone cannot, therefore, resolve United States-Soviet differences if we remain at odds over the rest of the spectrum of our relationship.

To be of lasting benefit, movement in arms control must be paralleled by the resolution of problems in other areas such as human rights and regional issues. Nevertheless, while there is more to be done in these fields as well as in arms control, the successful negotiation of the INF Treaty demonstrates and illustrates the point that even though initially separated by major political and security differences, the United States and the Soviet Union can ultimately find a way to agreement.

I would like to close by reflecting on a few points and lessons. My own involvement with INF dates back to the summer of 1976 when the United States first briefed its NATO allies on the SS–20. From that time until the present, whether in Washington, at NATO headquarters in Brussels, or at the Geneva negotiations, I participated in the work which led to the deployments, to the negotiations and eventually to the treaty.

Over this period, the United States maintained tactical flexibility, but there was constancy in our strategic approach. Our goal and NATO's goal was to preserve and strengthen our mutual security by overcoming the challenge posed to that security, to our freedom and to the peace by Soviet INF missiles. That goal was articulated in the 1979 NATO decision to deploy and to negotiate.

We and our allies carried through on both tracks. The provisions of this treaty are not only consistent with the 1979 decision, they are based on it in spirit and in letter. The constancy of our strategic approach to the INF issue, to the deployment and negotiating tracks provided the essential basis for achieving the results of this negotiation. NATO's 1979 decision has been carried out.

The INF negotiations had a very high political content. This is not to underplay the enormous destructive potential of INF missiles. Indeed, without that potential they would have had little political impact, but their ability to intimidate, their potential for inciting fear of decoupling the United States from its allies are what gave Soviet INF missiles their real force.

They did not have to be used to be effective. They just had to be seen to exist in a situation where they were uncontrolled and unmatched. Because of the importance of the political aspect of the INF issue, perceptions, for example, of NATO's ability to deter Soviet pressure or of the United States' willingness to continue to join with its allies in supporting that deterrence or of our and our allies' view of how best to deal with the problems posed by Soviet INF missiles, played and still play a key part, even today as we discuss the treaty, in determining how the INF issue impacts on our security relations with our NATO and Asian allies.

The political content of the INF issue also created a situation where the INF negotiations were conducted almost as much in the public arena as at the negotiating table. The democratic governments of the West carried the greater burden but also garnered the greater gain from this phenomenon. For while our open societies engender open and often raucous debate, they also provide via the ballot box a clearcut and powerful indication of how our peoples want an issue to be resolved.

In the case of INF this was unequivocal: deploy and negotiate, but only accept an agreement which incorporates NATO's agreed criteria.

Furthermore, in entering the public debate, the Soviet Union also, to an important extent, found itself forced to play by the rules. It could not, for example, expect to sway our publics when it made positive statements about verification in public but did not follow through at the negotiating table, or when it called in public for improved relations with Asian states but sought to retain a residual force of SS-20s capable of being targeted against those states.

The INF Treaty, as I have said, meets the negotiating requirements we and our allies established in 1979. It effectively counters the threat posed by the Soviet INF missile force by eliminating that force. In so doing, it will remove a major source of concern to our allies. It will deprive the Soviet Union of the ability to think that it could create a fear in their minds that because its INF, Soviet INF missiles, were not aimed at the United States, the United States would be less likely to come to their aid were they threatened by these weapons, in other words, to create an atmosphere of decoupling, in capital letters.

While the treaty does what we set out to have it do, it cannot be expected to overcome other problems affecting Western security interests, be they in the conventional, chemical or strategic areas. Nor will it relieve the United States and its allies from the continued need to maintain a solid defense so long as fundamental differences in other areas such as human rights and regional matters, continue to be a source of tension between the United States and the Soviet Union.

The INF Treaty will eliminate some options for us and our allies. But more importantly, it will eliminate far greater Soviet forces as well as Soviet military and political options and opportunities.

How we and our allies respond to the continuing challenges of maintaining deterrence, the perceptions we Americans and our allies create concerning the roles each of us is prepared to play in meeting these challenges, our joint willingness to ensure that the heart of our security relationship remains solid, all this remains very much in our hands and well within our ability to resolve effectively.

The successful conclusion of the INF agreement, the strength of purpose, the constancy and solidarity we and our allies maintained throughout a long period of trial are proof that the heart of our relationship is strong and that we can meet the remaining challenges.

I thank you, Mr. Chairman. I hope that you may have noted that my conclusion sounded very much like the conclusion of the excellent speech you made to the Wehrkunde when you also said it remains very much in our hands.

[The prepared statement of Ambassador Glitman follows:]

PREPARED STATEMENT OF AMBASSADOR MAYNARD W. GLITMAN
CHIEF NEGOTIATOR ON INTERMEDIATE-RANGE NUCLEAR FORCES

Mr. Chairman:

Thank you for the opportunity to appear before this committee to testify in support of the INF Treaty.

Introduction

Soviet INF missile systems defined as those ground-launched missiles with a range between 500 and 5500km, have posed a major problem for United States and Alliance security for many years. We sought on several occasions to constrain these systems via arms control negotiations. But they escaped capture. For almost two decades the Soviets had a virtual monopoly on longer-range INF missiles, free from any limitations.

Then, during the time when the Soviet Union began to reach strategic parity with the United States, the SS-20 made its appearance. That in turn triggered off the series of events which culminated nearly over eleven years later in the signing of the INF Treaty.

That Treaty not only captures INF missile systems, it provides for their elimination. The class of Soviet nuclear weapons which for decades has threatened our Allies in Europe and Asia, decoupling weapons with a proven capability for political intimidation, will cease to exist under this agreement. In accepting this Treaty, providing for the demise of this class of weapons, the Soviet Union recognizes the legitimacy of the United States and its NATO Allies joining together in collective security arrangements to deter Soviet pressure against NATO Europe via the deployment in Europe of

United States nuclear forces.

The INF Treaty, which accomplishes this result, comprises 125 pages of single-spaced text. The Treaty proper is accompanied by an Inspection Protocol, outlining the detailed modalities of the inspection regime; an Elimination Protocol covering how each Treaty-banned item will be eliminated; and a Memorandum of Understanding on Data declaring type, number and location of each item to be eliminated.

The Treaty is a legal document and its detail and phrasing reflect this. But in its essence it incorporates the basic arms reductions goals and policy that the United States, in close consultation with its Allies, has pursued since the formal INF negotiations opened in late 1981. These goals and this policy in turn had their basis in NATO's December 1979 decision to overcome the challenge posed to Alliance security by the Soviet intermediate-range missile force, through a dual track approach of counter deployments and negotiations.

The United States Approach to the INF Negotiations

The negotiating approach the United States and its Allies agreed upon was based on five principles: 1) equality of rights and limits between the United States and the Soviet Union; 2) limitations on United States and Soviet systems only; 3) global application of limitations; 4) unweakened maintenance of NATO's conventional defense capability; and 5) effective verifiability of any agreement. In addition to these principles, the United States and its NATO Allies also made inclusion in the INF Treaty of constraints on shorter-range INF missiles a basic tenet of the United States approach to the negotiations.

President Reagan made clear from the outset to his negotiators that any INF agreement must fully incorporate these criteria. There was to be no agreement just to have an agreement. The President's approach blending statesmanship, fortitude and enlightened self-interest were to be our guideline throughout the six years of the negotiations.

Equal Rights and Limits

This fundamental principle is grounded in the United Nations Charter's provision for the right of collective defense. In concrete terms, it provides the foundation for the United States and its Allies joining together to protect their freedom and independence, including through the basing of United States forces and systems in Europe. A substantial portion of the negotiation was devoted to achieving Soviet recognition of this principle.

The Soviet Union has long deployed missiles that could strike targets in Europe (and Asia) but not, it was claimed, the United States. Thus, so the Soviets contended, dealing with such Soviet systems was essentially an intra-European affair. However, United States systems deployed in Europe, it was argued, were more akin to strategic forces since they could strike the Soviet Union. Hence, the very basis for a negotiation on United States and Soviet INF systems was denied.

The deployment in the mid-1970s of the mobile, accurate, triple-warhead SS-20 capable of threatening targets throughout Europe, and elsewhere on the periphery of the Soviet Union, including much of Asia, marked a fundamental turning point in the area of INF missiles. In the context of Soviet achievement of strategic parity with the United States, and as the Soviet SS-20 missile force grew, our European Allies became concerned that with no comparable United States INF force on the ground

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
3. The inspected Party shall have the right to include written comments in the report.	Paragraph 3 of Section XI provides that the Inspected Party may make written comments with respect to inspection reports required by this Section.	
4. The Parties shall, when possible, resolve ambiguities regarding factual information contained in the inspection report. Relevant clarifications shall be recorded in the report. The report shall be signed by the inspection team leader and by one of the members of the in-country escort. Each Party shall retain one copy of the report.	Paragraph 4 of Section XI states that the Parties will resolve, to the extent possible, ambiguities regarding factual information in inspection reports, and record any relevant clarifications in the report. Reports are to be signed by the inspection team leader and by one in-country escort. Each Party will retain a copy of the report.	

Protocol on Inspection	Executive Branch Article-By-Article Analysis	Questions
This Protocol is an integral part of the Treaty. It shall enter into force on the date of entry into force of the Treaty and shall remain in force as long as the Treaty remains in force. As provided for in paragraph 1(b) of Article XIII of the Treaty, the Parties may agree upon such measures as may be necessary to improve the viability and effectiveness of this Protocol. Such measures shall not be deemed amendments to the Treaty. DONE at Washington on December 8, 1987, in two copies, each in the English and Russian languages, both texts being equally authentic.	FINAL PROVISIONS The penultimate paragraph of the Protocol specifies that the Protocol is an integral part of the Treaty, that it will enter into force on the date of entry into force of the Treaty, and that it will remain in force as long as the Treaty remains in force. The paragraph also provides that the Parties may agree upon measures to improve the viability and effectiveness of the Protocol, through the Special Verification Commission established pursuant to Article XIII of the Treaty. Such measures will not be deemed to be amendments to the Treaty. Thus, while substantive obligations cannot be changed absent an agreed amendment to the Treaty, minor matters relating to the detailed inspection procedures may be altered through agreement of the Parties in order to facilitate the implementation of the Treaty regime. The final paragraph records that the Protocol was done at Washington on December 8, 1987, in two copies, each in the English and Russian language, both texts being equally authentic.	

in Europe and with no limitations on Soviet INF missiles, Moscow might come to believe--however mistakenly--that United States forces could be "decoupled" from the defense of Europe. Consequently, Western European leaders stressed the need for a NATO response to Soviet SS-20 deployments to foreclose a potential perceptual gap in NATO's deterrence as well as to address the military threat posed by the SS-20.

Well over a year of intensive Alliance consultations culminated in NATO's December 1979 two-track decision. One track would redress the imbalance of INF through modernization and deployment in Western Europe of 572 United States longer-range INF missiles (eventually defined as "Intermediate-range missiles" with ranges between 1000 and 5500 km). On the second track, the United States would call for negotiations with the Soviets to establish a global balance in United States and Soviet longer-range INF missiles at the lowest possible level, which was understood to include zero.

The Soviets initially refused to negotiate, attempting to impose the condition that NATO must first renounce its modernization track. In essence this argued that the United States had no right to deploy INF systems in Europe to help its NATO Allies counter the threat of the SS-20 and similar Soviet systems. The opening Soviet position thus directly challenged the principle of equal rights and limits.

Finally, during the summer of 1980, the Soviets agreed to negotiate. A short set of preliminary talks was held that fall. Formal negotiations with the Soviet Union began in November 1981.

From the outset, the United States, under President Reagan's leadership, stressed the principle of equality and proposed the global elimination of all United States and Soviet longer-range INF missile systems. This equal global "zero option" remained the United States' preferred outcome throughout the negotiations. The Soviets for their part called in essence for a moratorium on INF deployment in Europe. This would have codified the Soviet INF missile monopoly which NATO had just rejected and in effect would have denied legitimacy of the equal rights and limits principle. Obviously it was not acceptable.

In March 1983, in an effort to find common ground with the Soviet side, the United States, while continuing to prefer a zero outcome, proposed an interim agreement for equal global limits on LRINF missile warheads at any number below the planned United States deployment level. Both of these proposals, equality at zero or at a number above zero, were rejected by the Soviet side.

Soviet unwillingness to accept the fundamental principle of an equal outcome made the negotiations untenable. Eventually the Soviets, unable either to impose their negotiating position on us or to derail the deployments, walked out of the negotiations in November 1983.

In March 1985, contrary to the prediction of some and to their own rhetoric, the Soviets came back. Not the least of the reasons for their return to the negotiating table was the recognition that, absent an equal outcome, the full deployment of United States INF missiles would take place.

During the course of the renewed negotiations, the United States continued to stress that any INF agreement had to be based on equal rights and limits. The Soviets, after renewing their freeze proposal, came up with several variations on a theme--the theme being to force the removal of United States INF missiles from Europe while the Soviets retained their monopoly.

Thus, we were offered a zero outcome: a zero for the United States and a zero-plus for the Soviet Union, with this plus being equal to United Kingdom and French nuclear forces. We were also told that equality meant equal reductions, not an equal outcome. Despite the obvious one-sidedness of this and similar Soviet approaches, it took months of persistent effort inside and outside the negotiations to persuade the Soviets that neither the United States nor its Allies would accept any result along these lines.

That effort was ultimately successful. Slowly but surely the Soviet position began to evolve until by the summer of 1986 the issue of equality was in essence resolved on the basis of the principle of equal rights and limits between the two Parties to the negotiations, i.e., the United States and the Soviet Union. That principle is now fully incorporated in the INF Treaty. Its focus is on an equal outcome between the United States and the Soviet Union, not on equal reductions. Indeed, by its very nature, the Treaty will strengthen the precedent for asymmetrical reductions to an equal level.

Exclusion of Third Country Systems

This principle is closely connected to and indeed is a subset of the issue of equal rights and limits for the Parties to the Treaty. As part of its argument that the INF issue was an intra European affair and that the Europeans and Americans had no need (or right) to join in a collective approach to counter Soviet INF, the Soviet side for much of the negotiations argued for the inclusion of, or compensation for, British and French systems. The United States insisted that any INF agreement, like the negotiations themselves, must be bilateral and limited only to United States and Soviet systems.

Behind this argument lay the conviction of the United States and its Allies that United States INF deployments provided a legitimate counterweight to Soviet INF capable of reaching the European and Asian Allies of the United States, but not (so the Soviets claimed) the United States itself, and that any negotiations concerning nuclear weapons between the United States and the Soviet Union should deal only with the systems of those two countries.

For much of the six years spent at the negotiations, this issue was the prime topic of discussion. The Soviets sought to use the inclusion of United Kingdom and French forces as a means to prevent or remove United States INF deployments under the guise of an "equal" outcome among "European" states. In effect they sought to balance off only a non-strategic class of Soviet weapons against the entire British and French strategic arsenal, to gain leverage on the size and shape of British and French nuclear forces via their negotiations with us, and to establish the principle that INF was an intra European matter in which the U.S. was an outsider, a principle which, had it been accepted, would have called into question the very foundation of the North Atlantic Alliance as well as our security arrangements with Asian allies.

What followed was a major effort in Geneva and in the public arena to persuade the Soviets that an agreement was only possible if third country systems were completely excluded. But here again, that effort was successful. Beginning with General Secretary Gorbachev's visit to Paris in October 1985, where he offered separate negotiations with the French and British, the Soviet position began to evolve.

Still, it took another year before the Soviets in essence adopted our approach. The INF Treaty is a purely bilateral one. The British and French nuclear forces are not included in any manner. Neither, as Secretary Shultz spelled out in his testimony, are the Pershing missiles belonging to the Federal Republic of Germany under an existing program of cooperation, included in the Treaty. The principle that nuclear arms control agreements between the United States and the Soviet Union will deal only with the forces of those two countries has been accepted and incorporated in the final outcome.

The Global Application of Limitations

The capability of the SS-20, especially its range, mobility and transportability permitted it to impinge on the security of the United States and its Allies in Europe and Asia, regardless of its deployment location. Yet for most of the negotiating period, the Soviet Union rejected United States proposals to apply limitations on INF missiles on a worldwide basis and sought to limit the Treaty to Europe. In contrast, the United States argued that an INF agreement limited to Europe and not leading to reductions in Asia would neither provide real security for Europe nor provide equal treatment for Asia.

The United States held firm to this principle throughout the negotiations. The first hint of Soviet recognition that the United States argument had validity came in mid-1982 with the Soviet willingness to include a part of its territory east of the Urals under the INF agreement. The next sign of movement came in October of 1983 when the Soviets offered to freeze their INF deployments in Asia upon entry into force of an INF agreement covering Europe. While not meeting our requirements, the Soviets did thus implicitly acknowledge that their Asian systems were relevant to the INF negotiations.

During the resumed negotiations the Soviet argument shifted somewhat. They asserted that Soviet SS-20s in Asia should be kept out of an agreement because they were deployed solely to counter U.S. naval and air forces in the Pacific--conveniently ignoring their counterpart air and naval forces and the questionable military utility of using SS-20s against ships. However, they also reaffirmed their earlier freeze offer (and its implications). The United States, for its part, remained firm--INF limits would have to apply on a global basis; anything less would not meet our or our Allies' security requirements.

No real movement was made in this area for several months with Soviet proposals continuing to be variations on the same theme: implying recognition that their Asian SS-20s were part of the INF problem, but not putting this into meaningful concrete terms. Again we remained firm. Equality in Europe but inequality globally was not an acceptable outcome.

Not until the Reykjavik meeting did the Soviets finally accept in essence our position--an equal global ceiling putting concrete limits on Soviet INF missiles in Asia as well as in Europe and providing for a similar number of United States INF missiles to be deployed in the United States. The final outcome, however, went beyond this. We secured not only global limits on Soviet long-range INF missiles, but on Soviet shorter-range INF missiles as well. As a result, the INF Treaty fully incorporates the principle of global limitations which we and our Allies had sought from the outset of the negotiations.

Maintain NATO's Conventional Capabilities

This principle is directly related to the question of whether to include dual capable aircraft in the INF negotiation.

The Soviets initially argued for their inclusion. In essence the Soviets sought to create an equation between only some of their INF aircraft on the one hand and all dual capable United States, British and French aircraft on the other. Moreover, the level they proposed would have effectively left little or no room for United States aircraft in Europe.

The United States firmly rejected this patently one-sided approach. Instead the United States argued that an INF agreement should focus on missiles only, the most capable element in the INF force, and stressed a determination not to accept an outcome which would weaken the United States contribution to NATO's conventional defense.

In the fall of 1983 the United States, in an effort to find common ground, offered to discuss inclusion of selected INF aircraft in an agreement but at levels that would not impact on NATO's conventional defense. The Soviets refused to discuss our proposal. They did, however, offer a counter-proposal which moved somewhat in our direction, both in terms of coverage and levels, but continued to include Allied aircraft and United States sea-based systems in the permitted "NATO" total, with the result that our contribution to NATO's conventional defense would have been weakened.

The aircraft issue reappeared when the talks resumed in 1985. However, the Soviets soon began to deemphasize the subject, concentrating as did we on missiles. Indeed by mid-1985 the subject ceased to be a matter of serious discussion, and thereafter effectively disappeared from the negotiations.

The end result--the INF Treaty covers only missiles, United States aircraft levels are not affected by the Treaty, and United States dual-capable aircraft are available to help strengthen NATO's deterrence and conventional capabilities.

Effective Verification

Effective verification is the keystone of arms control. "Trust but verify" is more than a watchword for the United States; it is a practical recognition of the problems created by Soviet non-compliance with arms control agreements and the need to ensure that compliance problems do not create a situation in which an agreement becomes a source of misunderstanding and tension rather than a force for improved relations. As I will detail below, the procedures for verification in the INF Treaty are more comprehensive than for any previous agreement. The complex of constraints, inspections and notifications coupled with National Technical Means will greatly help ensure compliance with the Treaty.

Getting to this outcome, however, took patience and persistence. The Soviet position as the talks opened was to argue that National Technical Means was sufficient to verify compliance. The United States, while not discounting the value of NTM, argued that given the relatively small and mobile nature of INF missiles, and given the record of compliance problems, more would be needed for INF verification, to include on-site inspection.

The United States sought from the outset to engage the Soviets in full discussion of verification. The Soviets resisted, arguing that verification could not be considered until there was agreement on reductions and limitations. While much of the discussion was one-sided, we continued to put forward our views and to urge the Soviets to join us in concrete negotiations on verification provisions. Nevertheless, at the time of the Soviet walkout, the question of verification, because of the Soviet stance, had not been given the full treatment it required.

The pace of work on verification began to pick up with the resumption of the talks in 1985. Soviet public rhetoric began to shift toward acceptance of more stringent provisions until eventually even on-site inspection was not precluded. Inside the negotiations the Soviets continued to shy away from discussing concrete measures, but they did state a willingness "in principle" to accept effective verification measures.

The United States worked to transform the Soviet public support for effective verification into real treaty provisions. In February 1986 we tabled the elements of a comprehensive verification regime. These eventually became the foundation for the INF Treaty verification provisions, but the initial Soviet reaction was to say in effect yes in principle but no to working on the issue. Indeed, they suggested putting off developing key provisions until after the Treaty was signed and assigning this task to the SCC. We continued to argue for concrete work on all aspects of verification during the negotiations, in parallel with work on other Treaty provisions.

Progress was made at Reykjavik with the Soviets moving in the direction of matching practice to rhetoric. Data exchanges, on-site observation of elimination, and OSI of the remaining inventories were accepted in principle. But the details remained open. The United States continued to press for deeper negotiations on verification, putting forward in March of 1987 a further elaboration of our approach to verification. We added that verification could be better facilitated in a zero environment citing this as an additional reason for the Soviets to agree to eliminate the 33 deployed SS-20s in Asia, which they would have been entitled to keep under the Reykjavik formula.

Finally in April of 1987 the Soviets tabled their own draft verification regime. While it followed the structure of the United States approach, it was more generalized than the United States proposal. Among other aspects, it omitted OSI of baseline data, but called for OSI of United States military bases in third countries. Many details were left for an Inspection Protocol which was not provided.

Nevertheless, the sides had begun to engage on the subject. In subsequent months, with the United States taking the lead, specific articles on verification were tabled, along with the MOU on Data and the elimination and inspection protocols. By the summer of 1987 the Soviets had joined us in moving ahead on fleshing out the details. This effort continued until the end of the negotiations.

In the process new ground was broken for the construction of the unprecedented stringent verification regime of the INF Treaty. The principle of effective verification is thus fully incorporated in the Treaty.

Shorter-Range INF Missiles

From the outset of the negotiations in 1981, the United States called for treaty provisions placing constraints on Soviet shorter-range INF missiles (eventually defined as shorter-range missiles with ranges between 500 and 1000 km). This was necessary because Soviet shorter-range INF missiles could perform many of the same missions as Soviet longer-range INF missiles. Thus, if left unconstrained, Soviet SRINF could undermine the effectiveness and viability of the treaty. After some hesitation, the Soviet side agreed with the concerns expressed by the United States and indeed included provisions dealing with shorter-range INF missiles in its initial draft INF treaty. The United States for its part agreed to the application of such constraints to its shorter-range INF missiles.

However, while the United States remained constant in its view of the need to constrain these systems, the Soviet Union, when the talks resumed in 1985, raised objections to including shorter-range INF missiles in the proposed treaty. Instead, the Soviets argued that these missile systems should be dealt with in a follow-on negotiation.

For well over a year the Soviets once again applied the technique of producing variations on the same theme, including a freeze proposal which would have legitimized a Soviet preponderence in this area, while maintaining their essential posture of putting off negotiations on shorter-range INF missiles until after the conclusion of an INF Treaty.

At Reykjavik the sides agreed on the need to place constraints on shorter-range INF missiles in an initial INF agreement but disagreed on the level: the United States insisting on the right to match the Soviet level, the Soviets insisting on a freeze at current levels, i.e., zero for the United States and thousands for them. In early 1987, the Soviets backed away from even this limited area of convergence, calling again for separate negotiations on shorter-range INF missiles.

Finally, beginning in the spring of 1987, the Soviet position began to evolve with the first hints that the Soviet side would be willing to consider the elimination of its SRINF missiles at least in Europe as part of an INF outcome. By mid-year the Soviets had moved to accept the global elimination of shorter-range INF missiles, which the United States, in close consultation with its Allies, was also prepared to accept.

The result is fully incorporated in the INF Treaty. Not only does it constrain Soviet shorter-range INF missiles concurrently with limitations on longer-range INF missiles, but it provides for their elimination along with the elimination of the longer-range INF missiles. In a situation where we had zero deployed shorter-range INF missiles and ~~of~~ only non-deployed missiles in storage in Colorado, the Soviets accepted in effect an asymmetrical reduction which approached the unilateral.

The Treaty Provisions

As for the Treaty itself, it will:

(A) Totally eliminate in three years all United States and Soviet INF ballistic and cruise missiles, i.e., those ground-launched missiles with a range between 500 and 5500 km (about 300-3300 miles); deployed Soviet shorter-range missiles (500-1000 km range) will be moved to elimination facilities within 90 days, and the entire shorter-range missile force will be eliminated in 18 months. Longer-range INF missiles (1000-5500 km range) will be eliminated in two phases. The first, lasting 29 months, will bring the sides to equal force levels prior to total elimination at the end of three years. Altogether over 1835 Soviet missiles, capable of delivering over 3000 nuclear warheads, will be destroyed, along with over 850 United States missiles capable of carrying a nuclear warhead.

(B) Prohibit production and flight testing of these systems or development of "new types".

(C) Institute restrictions on the deployment and movement of INF missile systems until they are eliminated, including an extensive process of notifications for and limitations on any movements.

(D) Update the data provided in the Memorandum of Understanding on Data which includes a fully itemized declaration of the location, number and technical specifications of all Treaty-limited systems, support structures and equipment.

(E) Provide detailed procedures for the elimination of INF missiles, launchers, support equipment and unique support structures.

(F) Provide a complex, overlapping inspection regime to assist in the verification of compliance, to include several kinds of on-site inspection. The Treaty also sets up a Special Verification Commission as one means of addressing as necessary compliance concerns.

Just as its provisions calling for the elimination of an entire class of nuclear weapons are unique, the Treaty's extensive verification provisions break new ground. The verification regime, lasting 13 years and covering nine countries is the most comprehensive and stringent ever agreed upon. It will consist of:

(A) "Baseline" inspections, to be conducted shortly after the INF Treaty enters into force to verify the number of missiles and launchers at "declared" facilities, including bases at which missiles are operating, repaired and stored.

(B) An annual quota of short-notice, on-site inspections of these INF facilities both for the three years during which all INF missile systems and facilities are eliminated and for ten years afterwards. These inspections will help monitor United States and Soviet INF missile systems until all are eliminated and ensure that no such systems are produced.

(C) On-site inspections to monitor the elimination of missiles and launchers, and elimination of specific structures at missile bases. Each side will also be permitted to eliminate up to 100 longer-range INF missiles in the first six months by launching them under restrictive conditions and monitored by on-site observation.

(D) A separate "close-out" inspection to ensure that only when all INF-associated activity has indeed terminated a declared site be deactivated and removed from the list of declared facilities.

(E) A continuous portal monitoring regime under which the United States will be able to monitor, for up to 13 years, the key Soviet missile assembly plant at Votkinsk or any other plant where the final assembly of a GLBM using stages, any stage of which is outwardly similar to a solid propellant GLBM listed in Article III, is accomplished. This monitoring will include the permanent presence of United States inspectors at the Soviet facility. Votkinsk was chosen because the first stage of the Soviet SS-25 ICBM is outwardly similar to the first stage of the SS-20, they will be able to weigh and measure Soviet canisters and open up eight such canisters per year as they leave the plant to ensure the "non-production"of SS-20s. The Soviet Union will similarly be permitted to monitor a former Pershing-II production facility in Utah.

To complement this inspection regime, and as a further step to help ensure that SS-20 missiles are not covertly deployed with SS-25 or other road-mobile ICBM missiles, the Soviet Union has agreed to the establishment of a program of enhanced National Technical Means. Six times a year for three years or until entry into force of a START agreement (whichever comes sooner), the United States can require the Soviet Union on short notice to open retractable roofs and display missile systems at selected Soviet road-mobile ICBM bases.

In sum, the verification regime of the INF Treaty provides an extensive network of checks and cross checks, appropriate to a zero level environment where the production, flight testing, indeed the very existence of INF missiles is prohibited. It dramatically reduces the possibilities of maintaining a militarily useful covert INF missile force and serves as a deterrent to cheating.

The Future

The INF Agreement is of historic proportions. It is not hyperbole to note that never before have two world powers agreed to eliminate an entire category of existing weaponry, whether the weapons were battleships, bombers or ballistic missiles. The suggestion that INF missiles are superfluous when compared with the vast number of strategic systems begs the question of why they were built and deployed in the first place and forgets the deep concern which Soviet INF missiles engendered in Europe and Asia.

Elements of the INF Treaty can provide useful precedents for the emerging conventional stability negotiations as well as for START. Each of these negotiations, of course, has its own dynamics and requirements. Neither envisages a zero outcome.

Nevertheless, recognition of the principle of equal rights and limits and of asymmetrical reductions to reach equality can be useful precedents in other arms control negotiations. The sides could also draw upon procedures in the INF Elimination Protocol and build on aspects of the INF Inspection Protocol in future negotiations.

More generally, the INF Treaty is a positive example of United States and Soviet determination and ability to resolve controversial issues. The United States and the Soviet Union have worked to resolve a security problem, long considered intractable, involving key Allies both in Europe and Asia. Other issues will not necessarily be easier to negotiate, but at a minimum the INF Treaty will demonstrate that difficult problems can be solved.

In addition, while our experience with previous nuclear arms control agreements with the Soviet Union has not always been a happy one, successful implementation and full compliance with the INF Treaty will provide an opportunity to establish a different record.

It remains fundamentally true that improved East-West relations cannot be based solely on arms control. Arms alone do not create insecurity. Arms are as much, if not more, a manifestation of tension as the cause of tension. Progress in arms control alone cannot therefore resolve United States-Soviet differences if we remain at odds over the rest of the spectrum of our relationship. To be of lasting benefit, movement in arms control must be paralleled by the resolution of problems in other areas such as human rights and regional issues.

Nevertheless, while there is more to be done in these fields as well as in arms control, the successful negotiation of the INF Treaty demonstrates and illustrates the point that even though initially separated by major political and security differences, the United States and the Soviet Union can ultimately find the way to agreement. The knowledge that agreement can be achieved in a sensitive area despite major obstacles should be among the most important legacies of the INF negotiations and Treaty.

Conclusion

I would like to close by reflecting on a few points and lessons. My own involvement with INF dates back to the summer of 1976 when the United States first briefed its NATO Allies on the SS-20. From that time until the present, whether in Washington, at NATO in Brussels or at the Geneva negotiations, I participated in the work which led to the deployments, to the negotiations and eventually to this Treaty.

Over this period, the United States maintained tactical flexibility, but there was constancy in our strategic approach. Our goal, and NATO's goal, was to preserve and strengthen our mutual security by overcoming the challenge posed to that security, to our freedom and to the peace by Soviet INF missiles. That goal was articulated in the 1979 NATO decision to deploy and to negotiate.

We and our Allies carried through on both tracks. The provisions of this Treaty are not only consistent with the 1979 decision, they are based on it, in spirit and in letter. The constancy of our strategic approach to the INF issue, to the deployment and negotiating tracks, provided the essential basis for achieving the results of this negotiation. NATO's 1979 decision has been carried out.

The INF negotiations had a very high political content. This is not to underplay the enormous destructive potential of

INF missiles. Indeed, without that potential they would have had little political impact. But their ability to intimidate, their potential for inciting fear of decoupling the United States from its Allies, are what gave Soviet INF missiles their real force. They did not have to be used to be effective. They just had to be seen to exist in a situation where they were uncontrolled and unmatched.

Because of the importance of the political aspect of the INF issue, perceptions, for example, of NATO's ability to deter Soviet pressure, or the United States' willingness to continue to join with its Allies in supporting that deterrence, or of our and our Allies' view of how best to deal with the problems posed by Soviet INF missiles, played and still play, a key part--even today as we debate the Treaty--in determining how the INF issue impacts on our security relations with our NATO and Asian Allies.

The political content of the INF issue also created a situation where the INF negotiations were conducted almost as much in the public arena as at the negotiating table. The democratic governments of the West carried the greater burden, but also garnered the greatest gain, from this phenomenon. For while our open societies engender open, often raucous, debate, they also provide, via the ballot box, a clear-cut and powerful indication of how our peoples want an issue to be resolved. In the case of INF this was unequivocal: deploy and negotiate but only accept an agreement which incorporates NATO's agreed criteria.

Furthermore, in entering the public debate, the Soviet Union also, to an important extent, found itself forced to play by the rules. It could not, for example, expect to sway our publics when it made positive statements about verification in public but did not follow through at the negotiating table or when it called in public for improved relations with Asian states but sought to retain a residual force of SS-20s capable of being targeted against those states. It could not, as we pointed out to the Soviets and to the public at large, expect to maintain negotiating positions at variance with its public statements without having to change one or the other.

The INF Treaty meets the negotiating requirements we and our Allies established in 1979. It effectively counters the threat posed by the Soviet INF missile force by eliminating that force. In so doing it will remove a major source of concern to our Allies. It will deprive the Soviet Union of the ability to think it could create a fear in the minds of our Allies that, because its INF missiles were not "aimed" at the United States, the United States would be less likely to come to their aid were they threatened by these weapons: in other words to create an atmosphere of decoupling in capital letters.

While the Treaty does what we set out to have it do, it cannot be expected to overcome other problems affecting Western security interests, be they in the conventional, chemical or strategic areas. Nor will it relieve the United States and its Allies from the continued need to maintain a solid defense so long as fundamental differences in other areas such as human rights and regional matters, continue to be a source of tension between the United States and the Soviet Union.

The INF Treaty will eliminate some options for us and our Allies, but more importantly it will eliminate far greater Soviet forces as well as Soviet military and political options and opportunities. How we and our Allies respond to the continuing challenges of maintaining deterrence, the perceptions we Americans and our Allies create, concerning the roles each of us is prepared to play in meeting these challenges, our joint willingness to ensure that the heart of our security relationship remains solid, all this remains very much in our hands and well within our ability to resolve effectively. The successful conclusion of the INF agreement, the strength of purpose, the constancy and solidarity we and our Allies maintained throughout a long period of trial are proof that the heart of our relationship is strong and that we can meet the remaining challenges.

Chairman NUNN. Thank you very much. I appreciate that.

Again I would remind all of the members that what I intend to do as much as possible, with some flexibility, is to start at the preamble and go through article by article.

The way I suggest we do it is, whatever questions I have, unless they are lengthy, I will ask them, then Senator Warner, and spin around the room in order. We will finish that section, and come back to the next section.

That is the way we will proceed, and we will have to have some period of time where we come back and catch up on questions that members may have missed as we went along.

We will start with the preamble. All of you have this worksheet here that has the treaty itself on the left-hand column, the executive branch article by article analysis in the middle column, and the questions that our joint staff—this has been a joint product—Senator Warner's staff and my staff, have proposed.

There will be other questions as we go along. I will start by asking if there are any questions on the preamble.

[No response.]

If not, questions on article I?

Senator QUAYLE. Mr. Chairman, I was just going through here real quickly. "Conscious that nuclear war would have devastating consequences for all mankind." How about conventional war?

Ambassador GLITMAN. If you go down to the third statement in the preamble, "convinced that the measures set forth in the treaty will help to reduce the risk of outbreak of war," and thereby we mean all war, not just nuclear.

Senator QUAYLE. I was just curious what the thinking was on emphasizing nuclear war. Is it because most of these weapons you are eliminating are nuclear weapons, even though there are some conventional weapons?

Ambassador GLITMAN. That is correct, we are dealing here with nuclear weapons.

Senator QUAYLE. You are also dealing with some conventional weapons, too, are you not?

Ambassador GLITMAN. No, we are not.

Senator QUAYLE. Potentially.

Ambassador GLITMAN. Potentially, we are, that is correct.

Senator QUAYLE. I was just curious about elevating the nuclear war, which I think is the one thing that we are all focusing on, which this committee has focused a lot on, is the conventional imbalance and the potential of conventional conflict. And I was just curious about that.

Ambassador GLITMAN. I think it is noteworthy that two of the Soviet systems, SS-12s and SS-23s, do have conventional capability, and we are going to eliminate that existing Soviet system. So I should not have said potential. We are eliminating that existing Soviet conventional capability by eliminating these missiles.

Senator QUAYLE. So there is conventional as well as nuclear weapons involved in the elimination?

Ambassador GLITMAN. Any cruise or ballistic missile, whether it is nuclear or conventionally armed, which falls within the criteria established by the treaty, will be banned. That includes those two Soviet missiles, which have conventional capability.

Senator QUAYLE. Was there any discussion of putting in conventional war? Do you recall? Or was this not thought of?

Ambassador GLITMAN. Well, it was thought of and that is why we used the language we did in the third subparagraph. We want to reduce the risk of the outbreak of war, not just nuclear war.

We are also obviously conscious that nuclear war would have a devastating consequence for mankind, that is true.

Senator QUAYLE. Conventional war, too, could possibly.

Ambassador GLITMAN. Correct. But when it came to saying what the measures set forth in this treaty were going to do, they are going to reduce, not the risk of nuclear war, but the risk of the outbreak of war plain and simple.

Chairman NUNN. Any other questions on the preamble?

[No response.]

If not, we will turn to article I. Senator Warner, I think you had a question on article I that is listed.

Senator WARNER. It is stated there, and the witness has the question.

Chairman NUNN. You might want to read it.

Senator WARNER. The question is: "Why is the word 'systems'—which is not defined in the treaty—used in this article instead of the word 'missiles?' Does the article impose any obligation beyond the other terms of the treaty? Question: What systems may the parties no longer possess after elimination of their intermediate range and shorter range missiles?"

Senator COHEN. May I inquire who encrypted this material, Mr. Chairman? It is barely intelligible.

Chairman NUNN. I must say, I made the same complaint. For those of fading years and faint vision, we had to put them at risk or we had to make it too heavy to tote. It is very small print, and I am sure that as we go along here we can get someone with good eyes to assist us.

Senator Warner has posed the question on article I.

Ambassador GLITMAN. The word "systems" is used in article I to establish the concept that the treaty applies to all treaty-limited items and not just the missiles. And that was something we had a bit of an argument with the Soviets about. So this is something we very much wanted in here.

Senator **Warner**. What was their position?

Ambassador **Glitman**. They would have liked to say just "missiles," and thereby the launchers and the support equipment and the support structures would not have been included.

So we wanted the word "systems" in here covering the whole treaty, and that way this is a chapeau article for the treaty and it sets the stage. Thus it becomes clear right from the outset that we are not just talking about missiles, but we are talking about the missile systems, and they are spelled out elsewhere in the treaty to include the launchers, support equipment, and support structures.

Senator **Warner**. So it is your judgment that this provision represents the U.S. position having prevailed?

Ambassador **Glitman**. That is correct, Senator.

Senator **Warner**. Was it modified, the U.S. position, in any way in terms of trying to compromise at all, or did we just adhere to it?

Ambassador **Glitman**. We adhered to it, and in fact the treaty deals with all elements of the system, not just the missiles.

Senator **Warner**. Why does not the Senator from Maine state the question directly.

Senator **Cohen**. I will just repeat the question that is in parentheses here, that I finally detected. It says: "Why is the word 'systems' (which is not defined in the treaty)" you just said it was defined in the treaty.

Ambassador **Glitman**. It is defined in effect in the treaty, because we list all the items that are included and covered by the treaty, not just the missiles: support structures, support equipment, launchers.

Senator **Cohen**. Is there any reason why it wasn't specifically set out, "It is defined as follows"?

Ambassador **Glitman**. Article I says "such systems," the ones listed. But in fact it is done that way. You end up getting that result. By looking through the treaty, you will see that everything is listed.

And our object was to make sure that it was clear to the reader that this would not just involve missiles.

Senator **Warner**. The second part of the question: "Does the article impose any obligation beyond the other terms of the treaty?"

Ambassador **Glitman**. It does not.

Senator **Warner**. What systems may the parties no longer possess after elimination of their intermediate-range and shorter range missiles?

Ambassador **Glitman**. Intermediate-range missile systems and shorter-range missile systems may no longer be possessed by the parties after the treaty takes full effect.

Senator **Warner**. Mr. Chairman, I wonder if I might interject just a general observation at this point. You and I, in consultation with other members of the committee, decided to take this approach. So far as we know, we will be the only committee that proceeds with this type of detailed analysis paragraph by paragraph on the technical aspects of the treaty.

Am I not correct?

Chairman NUNN. So far as I know, but I am not sure exactly what the Foreign Relations Committee is doing. I am not sure whether they have submitted a lot of questions for the record and how they are proceeding. I just cannot answer that.

Senator WARNER. When we discussed it, we felt it was imperative for this committee to take this course of action, and that is why we are going into it.

Chairman NUNN. It was not apparent that it was being done elsewhere. We are not in any way trying to duplicate, and if we find out that these questions have been answered in another forum then we will not duplicate them.

But this material has to be covered.

Has the Foreign Relations Committee asked these questions, Mr. Ambassador?

Ambassador GLITMAN. I do not recall that that first question, for example, has been asked. Some of the others in the document you provided us with have been asked. But each committee has the right to ask the questions, and we have a responsibility to answer them.

Chairman NUNN. Have you given those answers to the Foreign Relations Committee, a lot of answers?

Ambassador GLITMAN. I do not believe a lot have yet been sent over. A lot of work has been done with them, and I am not sure when they are going to come over.

Senator WARNER. I still think it is imperative that this committee has its record. And I thank the Chair.

Ambassador GLITMAN. If I might follow up, Senator, if you turn to the elimination protocol, the first section says: "The specific items"——

Senator QUAYLE. Where are we?

Ambassador GLITMAN. I am on page 43 of this document. This has got bigger print, however.

On the other hand, I now discover that I need trifocals, because I cannot read this with them on and I cannot see you with them off.

Section 1 of the protocol on procedures——

Senator WARNER. Mr. Chairman, I wonder if the witness could have a copy of the document from which the members of the committee are working.

Senator QUAYLE. The elimination protocol?

Ambassador GLITMAN. Yes.

Senator LEVIN. Which section?

Ambassador GLITMAN. Section 1, right at the beginning after the brief introduction: "Items of missile systems subject to elimination. The specific items for each type of missile system to be eliminated are," and you get a bit of a definition right through there, too.

Senator COHEN. Does it refer to support systems as well in there? It talks about missile canisters, transporter vehicles. I have not seen other support systems.

Ambassador GLITMAN. Exactly. It has got structures in there, fixed structures for launchers, launcher stand, propellant stand, tanks, and so on.

Senator LEVIN. Is there any part of the system which is not covered?

Ambassador **Glitman**. There is no part of the system which is not covered in one way or another. As you know, the front ends are handled in a special way, and that is covered in paragraph 9, I believe, of section 2. But they are all covered.

Senator **Warner**. Mr. Chairman, for the purposes of my propounding initially the question, the witness has responded.

Chairman **Nunn**. Any other questions on article I?

Senator **Quayle**. I just want to make sure I understand. You are saying that a definition of the word "systems" in article I is basically going to be found in section 1 on the protocol on elimination? Is that what you are saying?

Ambassador **Glitman**. It can be found there. You will also find as you work through the treaty that the other aspects of what makes a missile, a missile system, are all in here. Just look at what a missile support facility is. We are getting ahead of ourselves.

Mr. Chairman, you were afraid this would happen, and I believe it is inevitable.

Paragraph 9: "The term 'missile support facility' "—of the treaty itself. There is an example of another one, "missile operating base."

Senator **Quayle**. "Missile support facility," is that the "missile support facility"?

Ambassador **Glitman**. That is part of the system in a sense, and you will see there it is. It lists the storage facilities and so on.

In a sense, that may not be correct. I may have misspoken on that as I went too quickly to look at that. That just gives you other sections. It talks about the launchers and so on.

The important point to bear in mind is we spell out what it is that we are going to eliminate. There is no question in our mind or the Soviets' mind what we mean by "systems." We mean the missiles, the launchers, the support facilities, support equipment—and support structures, excuse me.

Senator **Quayle**. So there is no misunderstanding as far as what systems you are going to eliminate?

Ambassador **Glitman**. No. They are all spelled out in the protocol of elimination. There is no misunderstanding on that.

Senator **Quayle**. How about systems in the future?

Ambassador **Glitman**. There can be no future systems which meet the criteria set forth in this treaty, the range criteria, weapons delivery, ground-launched, ballistic or cruise. If they fit the criteria, they cannot exist.

Senator **Quayle**. I do not know if this would be an appropriate time to get into how you wanted to do this, but I think this is beginning to relate to a series of questions I have later on on these future systems, and what we have in fact eliminated and what we can in fact.

Chairman **Nunn**. I believe it might be better to get to it in another article.

Senator **Quayle**. I would point out that I think that you have a reference point here, because just reading article I it says "not have such systems thereafter." And these are fairly key operative words for what I am going to be bringing in.

Basically, it will be on the article XIV, article VII definition on new type of cruise missile, and article II definition. But this is also related to that on what systems thereafter, because I think that gets you into a whole area of new technology.

We can fall back on the terms of this treaty, which Ambassador Glitman does, but our job is to try to figure out what the terms of this treaty are. So I can bring it up later.

Chairman NUNN. I have some questions on that same area, but I think it might be better to get into it a little bit later.

Any other questions on article I?

[No response.]

If not, we will go to article II. My question on article II, to lead off here, Mr. Ambassador: Is a ground-launched ballistic missile that has been flight tested on one occasion to a range in excess of 5,500 kilometers exempted from the treaty, regardless of the number of occasions it has been tested at the INF range, that is between 500 and 5,500 kilometers?

Ambassador GLITMAN. The answer in a word is yes. A ground-launched ballistic missile tested above 5,500 kilometers becomes a strategic ground-launched ballistic missile, except for the existing types listed in article III.

For example, even if an SS-20 were tested above 5,500 kilometers, it would still be banned by this treaty as an INF missile.

Chairman NUNN. Would you repeat that example?

Ambassador GLITMAN. Even if an SS-20 were tested above 5,500 kilometers, it would still be banned by this treaty as an INF missile because it is listed in article III as an existing type of INF missile.

Chairman NUNN. So an existing type would be banned, but a new type would not?

Ambassador GLITMAN. That is correct. If a new type of missile was tested above 5,500 kilometers, it would be considered a strategic system.

And the logic behind that is that you can retarget a missile that can go 6,000 kilometers to strike a target that is only 4,000 kilometers away. At the lower end of the scale, that would not be the case. Once it went above 500 kilometers, it would count as an INF missile and be banned.

Chairman NUNN. As I read the treaty, and as I understand your answer, under the treaty the Soviets could develop a new type of ground-launched ballistic missile, they could test it one time above 5,500 kilometers to qualify it as an ICBM, and thereby exempt it from the INF Treaty, is that right?

Ambassador GLITMAN. That is correct.

Well, what happens when they do that—and that is why I wanted to read off this part of my statement—the political impact of that missile changes, because it is no longer a unique INF missile "aimed" at Europe or Asia, but not at the United States.

It is now a missile which is capable of reaching the United States. So it cannot have the same political impact.

Chairman NUNN. They could then test it one time above 5,500 kilometers and then test it, say 25 times, at the intermediate range, and then redeploy it right where the Pershing II's—right where the SS-20s have been removed, is that right?

Ambassador GLITMAN. If they redeploy it where the SS-20s have been removed, they will be subject, of course, to the on-site inspection of any missiles that go into one of those declared facilities.

Chairman NUNN. It would be legal for them to do that?

Ambassador GLITMAN. Yes. It is a strategic missile and this treaty does not capture missiles above 5,500 kilometers, and once a missile demonstrates that it can achieve strategic range we cannot count it as an INF missile.

Let us take that issue and turn it back to a day when there was no INF Treaty and we had a SALT Treaty and then look at the problem that way. And here is the missile that they would have tested to 5,500 or 6,000 kilometers once and all the rest of the time they tested it at 3,000 or 4,000. I think we would have said the day it went over 5,500 that it is now a strategic missile.

Chairman NUNN. Does this not lead us to the conclusion, that in order for this treaty to be militarily effective—I am not talking about politically and economically and in other ways, psychologically, but in order for it to be militarily effective—it is almost essential that there be a follow-on strategic arms treaty in order to catch the category that could be used as a subterfuge, that is the ICBMs?

Ambassador GLITMAN. I think it has a military effectiveness as it stands by itself. Certainly that effectiveness would be greatly enhanced by a follow-on START Treaty.

Chairman NUNN. But if the Soviet Union tomorrow morning decided they wanted to replace every one of those SS-20s, they could go out and test a new missile with a range of over 5,500 kilometers. They then could convert that missile into an intermediate missile, essentially, within the testing program.

They could take them and put them in the same holes or different holes, and still be within the treaty? Do you think they would be within the spirit of the treaty if they did that?

Ambassador GLITMAN. Well, that is a different question. But I think the main point is that if it can go strategic range we are going to count it as a strategic missile.

Chairman NUNN. But there is no limit on strategic missiles now.

Ambassador GLITMAN. There are no limits on strategic missiles for either side.

Chairman NUNN. Correct.

Ambassador GLITMAN. But we are going to capture a number of Soviet INF missiles. I think we agree on the political side.

Chairman NUNN. Did you consider in the treaty negotiations having a number of tests that could not be exceeded at intermediate ranges, in order then to by definition in the treaty count those as INF-type systems?

In other words, for instance, if a missile were tested over half the time for INF ranges, did you consider having that one captured under an INF definition? Or would that cause more problems?

Ambassador GLITMAN. I think it would cause problems for both sides. We do a lot of testing of strategic missiles below 5,500 ourselves.

Chairman NUNN. Both sides can test their longer range missiles in intermediate ranges without them being captured by this treaty, is that right?

Ambassador GLITMAN. Right. And the way to avoid being captured by the treaty is to make sure that the missile goes beyond 5,500 kilometers.

Chairman NUNN. But they could take the SS–25 and test it any number of times within the 500 to 5,500 kilometers, and it would not be a violation of this treaty?

Ambassador GLITMAN. The SS–25 is a strategic missile and it is not a violation of this treaty. But again, I think we have to emphasize the political aspects of this treaty. Once they tested it as a strategic weapon, it loses that special political character which the INF missiles have, still have until we get rid of them.

Chairman NUNN. We have a UPI quote here that purports to be an interview with you, Mr. Ambassador, and it says: " 'The Soviet Union will not be able to test strategic nuclear missiles at shorter ranges that have been banned by the INF Treaty,' says Maynard Glitman, chief U.S. negotiator for the accord."

That is the opposite of what you are saying here. Now, is this incorrect?

Ambassador GLITMAN. That is incorrect, and I called the journalist. I misspoke and I told him so. And he said he would issue another article.

He caught me at a meeting, came up to me, and I was thinking of something else and my mind was on 500, not 5,500. He is not to be faulted for that; I am.

Chairman NUNN. But that is essentially not correct?

Ambassador GLITMAN. That is not correct.

Chairman NUNN. In other words, the Soviet Union will be able to test strategic nuclear missiles at shorter ranges that have been banned by the INF Treaty?

Ambassador GLITMAN. That is correct.

Chairman NUNN. Any other questions on article II?

[No response.]

Chairman NUNN. I am going to rotate these questions as hands go up, according to the early bird rule. Or do you want to just go around the table? Let us just go around the table.

Senator Exon, then Senator Glenn, and then we will rotate as we are recognized. Senator Exon.

Senator EXON. Mr. Ambassador, a lay question, I guess, that has some technical implications with it. Whether a missile is tested at 60 kilometers or 6,000 kilometers, it seems to me as a layman that if a test of a missile, whatever it is, is at—if it is effective at 6,000 kilometers, then would it not follow that it would be just as likely to be effective at, say, 400 kilometers?

Ambassador GLITMAN. Maybe not at 400. I am not an expert on these things as well. My understanding is, however, that there is a shorter range at which it would not be effective.

It might be effective, for example, using the example that you came up with, it might be effective at 3,500 or 4,000, which would put it in the INF range.

Senator EXON. It is all in the guidance system, is that not correct?

Ambassador GLITMAN. I do not know the answer to that. It could be guidance, it could be thrust. There are all sorts of ballistics in there, and you would need an expert to answer that.

All I can tell you is my understanding is that they can use a missile which can go 6,000 kilometers to target ranges well below that. Just at what point it ceases to be effective, I do not know.

Senator EXON. So at least a basis of this treaty is that testing at longer ranges, it does not necessarily follow then that it could be used as an INF system based upon the assumptions made in this treaty?

Ambassador GLITMAN. It would not be an INF system by definition if it went above 5,500 kilometers, and it would not have the characteristics of an INF system, which is essentially it cannot go that far, because an INF system cannot go above 5,500.

But that is not to say—strategic systems can as a general rule be used against shorter targets, targets at less than strategic range. But they do not—they cease to have that special political character that the INF missile has. You see, the value of the INF missile essentially for the Soviets was that they would argue it could not reach us and that it was a missile aimed at our allies and not us, and therefore, they might mistakenly believe, we would be less concerned about such a missile.

Once they show that it can reach us, then it does not have that quality any longer.

Senator EXON. Let me follow that up with another question. Again, maybe you are not of the expertise to answer this, but could our intercontinental ballistic missiles be directed at Cuba effectively?

Ambassador GLITMAN. I would give you a guess and that would not be fair to this committee. So why do I not take that question. I mean, I just do not know how long it takes from a given U.S. ICBM site to reach Cuba.

Senator EXON. Thank you.

Senator COHEN. Ambassador Glitman, we have got a couple of interesting ironies involved here. I recall during the debate on SALT II, we had a situation in which some of us were concerned that the Backfire, which they claimed was an intermediate range system, could be used as a long range system, such as the Blackjack. Or that the Backfire could fly at least one way and perhaps halfway back or perhaps land in Cuba in terms of its range capability.

So we objected to what they called an intermediate-range system being used as a strategic system. Senator Nunn has raised the converse problem now, namely that they may in fact have a strategic system and use it as an intermediate-range system.

The question arises, was there any thought given to simply banning the testing of any missiles in that range of 500 to 5,500 kilometers, in order to avoid the problem of a strategic system being used as an intermediate-range system?

Ambassador GLITMAN. There was not, because both sides—let us say, we also find it useful to test strategic missiles at some point with shorter ranges, ranges below 5,500.

Senator COHEN. In other words, we would be testing either a Midgetman, to the extent that that ever materializes, which is unlikely, or an MX with a range less than 5,500 kilometers?

Ambassador GLITMAN. We would do that.

Senator COHEN. Well, of course, I suppose we would not have this problem at all if both sides had agreed to adhere to the limitations of sub-limits under SALT II. Then it would not be a problem, would it?

Ambassador GLITMAN. Well, that is another issue.

Senator COHEN. That is another issue, you are right.

Ambassador GLITMAN. The fact is that we, for good and proper reasons, chose not to do so, and so here we are.

Senator COHEN. Well, maybe for a proper reason, not necessarily a good reason.

A final point. Senator Nunn is not here and maybe I should reserve this question, though his aides are here.

VOICE. He will be back momentarily.

Senator COHEN. Well, I will string the question out. [Laughter.]

He mentioned the words "spirit of the treaty." Would the testing of a strategic system within ranges of intermediate range be in keeping with the spirit of the treaty?

And I was about to raise my hand to pose a question or possibly an objection. When we start using "spirit of the treaty" it seems to me we are going to find ourselves in very—I am not coining a phrase, it is one that has been articulated by one of our candidates—very deep doo-doo. But do we not have a serious problem when speaking of the spirit of the treaty, especially when the Soviets start arguing about follow-on to Lance?

They have already started to argue that the moment we start testing or deploying a follow-on to Lance, that will be in breach of the "spirit of the treaty." So would you advocate that we disregard notions of spirit and stick to the strict letter of the treaty itself?

Ambassador GLITMAN. I think it is important to stick to the letter of the treaty. There are points, however, when the question of spirit is going to come up. So I would not want to exclude it entirely.

But you cannot use spirit, I do not believe, per se to say, well, you violated the treaty. You violate the letter or you do not.

And you are absolutely right in noting how that spirit can be misused in the example of the follow-on to Lance, which is clearly not covered by this treaty, and that is a misuse of it.

Senator COHEN. Should we look at the letter and forget about the spirit for the time being, or deal with the spirit article by article, depending on whether we want to use it or not?

Ambassador GLITMAN. I think it would be difficult to deal with the spirit article by article, Senator. I think as we proceed in this particular review it is best to deal with the letter of the treaty.

Senator EXON [presiding]. Senator Levin.

Senator LEVIN. Thank you.

In the SALT Treaty of recent memory, we defined, I believe, what would constitute a modification. We had a percentage. Over that would be a new missile; inside of that would be a modification of an old missile.

Is there anything like that in the INF Treaty?

Ambassador GLITMAN. There is not, because this treaty will eliminate systems and ban the production and flight testing. So there is no way to modify within the range bans.

Senator LEVIN. For instance, say there were a modified SS-20. SS-20s are banned, but how about modified SS-20s that could extend to say 6,000 kilometers if they, for instance, had an extended boost stage on it?

Is there a definition of whether that would be a banned missile or an allowed missile?

Ambassador GLITMAN. If it were indistinguishable from an existing SS-20, as I pointed out, it would be an existing type. But even if an SS-20 per se went above 5,500, it would be banned.

But now we are talking about something they say is no longer an SS-20.

Senator LEVIN. Say they have an extended boost stage on the SS-20 and it now goes 6,000 kilometers. Would that be a banned missile or a permitted missile?

Ambassador GLITMAN. If the missile exceeds 6,000 kilometers or 5,500 and is distinguishable from the SS-20——

Senator LEVIN. But there is no definition of what is distinguishable.

Ambassador GLITMAN. Something you can see a difference on.

Senator LEVIN. See it physically?

Ambassador GLITMAN. See it physically and be convinced that it was. You would then say it would be legal if it goes over 5,500 and they say it is a new missile. And we can speculate, which I think is not helpful necessarily, on how they modify it or what they do to it, if they add another stage to it, they have got another missile, another launcher, and so on.

However, there is a problem here. You know, there is only one outwardly similar stage that they can have. They cannot produce stages of the SS-20. So they would have to do an awful lot of changing. It would have to be a new missile, in effect.

Senator LEVIN. Must they destroy existing SS-20s?

Ambassador GLITMAN. Yes.

Senator LEVIN. They cannot modify them?

Ambassador GLITMAN. No.

Senator LEVIN. Thank you.

Chairman NUNN [presiding]. Other questions?

[No response.]

Senator GLENN. They started alternating after you left. Go ahead.

Chairman NUNN. Senator Quayle.

Senator QUAYLE. Let me take the front end of Senator Nunn's question on the testing and whether it falls within the INF category. If you test a ground-launched ballistic missile or a ground-launched cruise missile at 490 kilometers, is that allowed to be deployed?

Ambassador GLITMAN. If they test a ballistic missile short of 500 kilometers or we test a ballistic missile short of 500 kilometers, it will not be captured by the treaty.

Senator QUAYLE. If it is short of 500 kilometers, that cruise missile is tested short of 500 kilometers, on a confidence factor how much further than 500 kilometers do you think that we could actually go?

Ambassador GLITMAN. At some point when you test, particularly for ballistics—you mentioned cruise, but let me just say for ballistics.

Senator **Quayle**. Let us start with ballistics. Let us say you test it short of 500.

Ambassador **Glitman**. At some point your confidence that you could shoot a missile which you have only tested to 450, say, and you would be confident that it would be effective out beyond that range, begins to diminish as that range gets further away from the range to which you have tested. I cannot give you a definite point at which that would happen.

You know, it just happens——

Senator **Quayle**. Around 600?

Ambassador **Glitman**. I would not want to specify. All I can say is it diminishes, your confidence diminishes, your confidence diminishes, as it goes further away from your testing.

Senator **Quayle**. That is obvious, that your confidence diminishes. I guess my question is on how specific—it goes to Senator Cohen's question, I believe, on follow-on to Lance.

If you are looking at a short-range follow-on to Lance of, say, 350 to 450 kilometers and we think that that is what we want to deploy, the Soviets could come back, and they are already starting to come back, and say: Well, you have tested it at that range, but we know from our viewpoint and you know, too, that you have got confidence that it can go further than that.

And then you get into this whole non-circumvention issue and a lot of the problems that I think we are going to find in this treaty.

Ambassador **Glitman**. There is no non-circumvention provision in this treaty.

Senator **Quayle**. Article XIV. I call it non-circumvention.

Ambassador **Glitman**. When we get to it, I will show you why you should not, Senator.

Senator **Quayle**. All right. Article XIV for definition purposes, article XIV problems. Shevardnadze calls it non-circumvention.

Senator **Levin**. That is another reason why you should not.

Senator **Quayle**. Genscher calls it non-circumvention. We have got to understand what they understand about the treaty.

But what about that particular problem?

Ambassador **Glitman**. Senator, if we wish to have a follow-on Lance we can test it up to 500 kilometers. You know, one would assume that we want a little safety factor in there. We would not want to shoot for 500 and find that it went to 501, or shoot for 499 and find it went 501. So we would want to be a little careful.

I should think they would, too.

Senator **Quayle**. So in other words, we can go ahead as long as we test it? It is not capability, it is testing, right?

Ambassador **Glitman**. It is testing. It is very objective. We can verify the testing; so can they. It is the most objective criteria you can come up with. And no criteria is perfect, but this one is objective. It is there.

Senator **Quayle**. So it is not range capability; it is the actual testing?

Ambassador **Glitman**. For ballistic missiles it is the actual testing.

Senator **Quayle**. On paragraph 5 of article II, you have got: "The term 'intermediate missile' means a ground-launched ballistic missile or a ground-launched cruise missile having a range capability."

Ambassador GLITMAN. That is correct. But the way you define capability is by testing.

Senator QUAYLE. You define capability by testing, okay. So it has to be tested.

On the cruise missile, if you tested in below 500 kilometers you are okay, right?

Ambassador GLITMAN. Well, for a cruise missile there is a different definition. That is the one that has been referred to in the questioning, the questions that we have received.

In paragraph 2, and here you can see it is "an unmanned, self-propelled vehicle which sustains flight," and so on.

Senator QUAYLE. Where are you, paragraph 21?

Ambassador GLITMAN. Article VII will give you the range. You are looking at the article II definition. VII.4 gives the range limitations or criteria, if we look at that, paragraph 4 of article VII.

Senator QUAYLE. Article VII, paragraph 4?

Ambassador GLITMAN. Yes.

This is really questions 28 and 29 in your list.

Senator QUAYLE. I do not want to get ahead, since the chairman does not want to mix up the articles. My question is on the testing of the ground-launched cruise missile, that you say we tested at below the 500 kilometers, that then you can in fact deploy it; that is correct?

Ambassador GLITMAN. If you test it below 500, you can deploy it. But for cruise missiles it has to meet the definition in VII.4.

Then you have got this question if it is covered by the missile in standard design mode flying to fuel exhaustion, determined by projecting its flight onto the earth's sphere from the point of launch to the point of impact. But again, that is getting ahead to question number 28 on the list.

Senator QUAYLE. I do not want to get ahead. I can save that question for then.

But it goes to the basic point that the chairman brought up. What we are looking for, and I think what everybody is trying to figure out, is where are these grey areas, where are the areas that we ought to be aware of, and where there is going to be potential pushing or cheating at the margin or fudging at the margin.

I think the chairman brought up one at the other end: if they test it at above the 5,500, then in fact it could be an INF system. Mine goes at the other end of the system, when you test it below the 500 kilometers, particularly on a cruise missile.

We do not test these things to fuel exhaustion. You are going to have a great deal of confidence that it will go, not 500 kilometers, but perhaps 1,000 kilometers. And therefore you get into these arguments on whether it is in fact an INF system or not.

And I think that is what the desire at least I have is, to try to clear up and improve upon the contents of what we have here, so we know what we have here, and particularly as we deal with future systems.

I am not concerned about what we are going to eliminate right now, because I think that is fairly clear in the treaty. What we have out there now is going to be eliminated.

My concern is future systems, and my concern is to be as exact as possible, not just for this administration. I think it is much more important 5 or 10 years down the road. That is the thrust of my question and that is the thrust of what I am trying to get cleared up here, so at least we know that if you can do this and it falls into that category, we understand that.

Ambassador GLITMAN. We are fully aware, as you suggest, Senator, that with cruise missiles you do not know the fuel exhaustion; there is a different problem for cruise missiles compared with ballistics, and that is why article VII, paragraph 4, treats them differently.

And this definition in article VII, paragraph 4, as regards cruise missiles will provide us with the basis for any complaints if we have any concerns that a given Soviet cruise missile might exceed 500 kilometers.

Senator QUAYLE. But even reading paragraph 4 of the article VII would not clear up the confusion if in fact you tested a cruise missile below 500 kilometers. One could make the argument that it would have the capability within the range of 500 to 5,500, which makes it an INF system.

Ambassador GLITMAN. That is what this wording is designed to let us do, to allow us to make such an argument, and to go to them and say: We believe that your cruise missile that you tested on X could in fact go further under the definition that is in paragraph 4 of article VII.

Senator QUAYLE. But one of your definitions is flying to fuel exhaustion, and you have just said, and I agree, that you do not ever test them to fuel exhaustion. You just do not do that.

Ambassador GLITMAN. But that is what you have to extrapolate from this. We cannot get too much more into this or we are going to get into what we need for closed hearings.

Essentially, this will give us a basis for compliance complaint if we have one.

Senator QUAYLE. A compliance complaint. But you still have—I mean, I think it is a rather vague standard to make that determination of once you have tested this thing at a certain level, that the capability could be much greater.

Ambassador GLITMAN. That is why it is defined this way. If the capability is greater, you can go to them and say; Hey, here is our reading of your thing.

Senator QUAYLE. And one of the things is on flying to fuel exhaustion, which I think—you can verify that?

Ambassador GLITMAN. Well, again I think that has to be handled in a different hearing.

Senator QUAYLE. Maybe some time we will have to go into a closed hearing on these things.

Chairman NUNN. We are on article II, still on paragraph 1, but skipping around somewhat in the paragraph. Senator Glenn.

Senator GLENN. Thank you, Mr. Chairman.

My question was sort of along the same line as Senator Quayle's question.

Everything has to fit into certain ranges. And this definition of cruise missile range bothers me a little bit. I do not know whether we can better define it or not, but ballistic missiles are fairly straightforward. They go up and they come down. There is a straight track, and that is that.

But defining a cruise missile range is a very difficult thing. I think in most of our tests, we rarely test a cruise missile straight out to its destination. Usually it is tested on a circuitous path.

And if you really wanted to use a cruise missile that would fit in, say, the 3,500 kilometer range, there is no reason why you could not test the thing on a 100 mile race track pattern, and it never would really reach its maximum range.

Now, that would be theoretically possible to do. The question is, in article VII, paragraph 4, you say: "This treaty shall be considered to be the maximum distance which can be covered by the missile in its standard design mode," and so on, "flying to fuel exhaustion."

Is that by their statement of what they test to, or is it our intelligence estimate of what it will do? How do we define that?

I would think we could test something well under the 500 kilometer range and still have a missile that was made for, say, 1,000 kilometers or 1,500. Do we accept their word for this, or do we check it?

We cannot observe all the tests, I know that.

Ambassador GLITMAN. We can check it. Again, I do not want to go into the specifics of that. Let me just note that this language is well known to both sides. You will find it in the SALT Treaty.

So it is something that has been discussed long ago and is understood by both sides. It includes the system's configuration and the flight pattern, and as I said, it can provide the basis for a challenge. And that is what we need is, if something happens here with the range of one of those missiles, we have to be able to point to something in the treaty which we have got here and say: Now wait a minute; we saw that test and we understand that it was such and such a test.

Senator GLENN. I guess what I am asking is how do we verify that? What is our verification on the range of a cruise missile?

Ambassador GLITMAN. Again, I think that gets into things which we might not want to discuss in open session as to how we verify.

Incidentally, the example you gave, sort of flying back and forth, if it exceeds 500 kilometers as it goes back and forth that would at least give us some indication of its capability. You know, again you would have to apply this definition.

Senator GLENN. It would if we knew they were doing it. We do not have absolutely 100 percent perfect satellite coverage of what is going on and they do not have of us, either. So there are lots of things they do while our satellites are not overhead and some things we do when their satellites are not over our heads.

We are aware of some of those practices. So it would be possible to design a test to fit within that possibility.

The verification of cruise missile ranges has bothered me ever since we started talking about this issue. I think that is an area I am going to follow up on.

Senator COHEN. Mr. Chairman, is there such a thing as the equivalent of "bloodpacking" in technological terms? No, I am serious.

Ambassador GLITMAN. Bloodpacking? I do not know what the phrase is.

Senator COHEN. Bloodpacking. We are now challenging Soviet athletes in the Calgary Olympics because they are exceeding the normal capabilities that one would expect, and there was a charge, an allegation being made—cannot provide it—that they are engaging in bloodpacking.

Is there a technological equivalent to bloodpacking that our scientists can take into account?

Ambassador GLITMAN. I am not aware if there is or not, Senator.

Senator GLENN. You are talking about the development of a new rocket fuel that could be put in these things. A new type fuel that would give you better efficiencies, that would be the missile equivalent of bloodpacking, I guess.

Senator SYMMS. Mr. Chairman, if I could, I just want to pursue that, just a follow-on to Senator Glenn's question. What happens if you take the cruise missile and put it on a ship and go out 3,000 kilometers off the beach and fire it?

Ambassador GLITMAN. It is a sea-launched cruise missile.

Senator SYMMS. It is not affected by the treaty?

Ambassador GLITMAN. I am trying to be very precise. If we are talking about sea-launched cruise missiles, which includes the platform which is, say, a ship, then it is outside of this treaty. Our SLCMs, which we fought long and hard to keep outside of this treaty, are outside of this treaty.

So I am not sure, but if it is a sea-launched cruise missile, it is not covered.

Senator SYMMS. The other question I wanted to ask—I think you answered my first question, and the answer would be true for both sides.

Ambassador GLITMAN. That is true for both sides.

Senator SYMMS. Okay, the other question is with respect to the first paragraph, and the question that was asked. I was interested in both Senator Levin's and Senator Exon's questions.

Is not an SS-25 a modified SS-20? I am told the crew can train to fire either one, and one just has one extra stage on the rocket.

Ambassador GLITMAN. During the course of the negotiations we spent a lot of time on the Soviet SS-25, when it became clear to us that it had an outwardly similar first stage to the SS-20. The treaty provisions in fact give us special rights with regard to that Soviet strategic missile because of that factor. It's second stage we are told is not outwardly similar. Neither stage is supposed to be interchangeable.

We will have an opportunity to prove that. If it turns out to be the case, all well and good. But what we are going to do as a result of this factor—and it is not an SS-20, it is an SS-25, but because of that one outwardly similar stage, we are going to be able to monitor the production of the—the nonproduction of the SS-20 by effectively monitoring the production of the SS-25, even though that missile is not covered by this treaty. Plus we have some extra verification requirements which we laid on them and they have agreed to concerning their SS-25 bases, enhanced NTM.

Senator SYMMS. Thank you, Mr. Chairman.

Chairman NUNN. I am going to move on to paragraph 2.

Mr. Ambassador, does the definition of a cruise missile as "an unmanned, self-propelled vehicle that sustains flight through the use of aerodynamic lift over most of its flight path"——

Senator **Quayle**. Mr. Chairman, could we get answers to questions 3 and 4 on article II?

Chairman **Nunn**. Sure. This is touching on it in the same way. You may want to ask those first, or you can come back right after this.

I thought maybe those had already been asked. I had to leave.

Senator **Quayle**. There is a very specific question.

Chairman **Nunn**. Let me pose this one and we will come right back to that because they go together.

I was quoting the definition of a cruise missile, and my question, Mr. Ambassador, does that include remotely-piloted vehicles, or RPVs, or any other unmanned drones which closely resemble aircraft?

Ambassador **Glitman**. The RPVs, if they fit that definition, minus the weapons delivery part, which is important, would be covered.

I'm sorry, let me make sure I see your question because I am trying to go back and forth between the questions, the treaty and what you are telling me orally.

Chairman **Nunn**. This is paragraph 2.

Do we have another copy of these larger-typed questions?

Ambassador **Glitman**. The answer is yes.

Chairman **Nunn**. In other words, the remotely-piloted RPVs or other unmanned drones are captured under the definition of a cruise missile?

Ambassador **Glitman**. That is correct, if weapons delivery——

Chairman **Nunn**. That was my next question.

Ambassador **Glitman**. The way your question is written.

Chairman **Nunn**. If it has a weapon on it?

Ambassador **Glitman**. As General Partlow pointed out, it is a cruise missile but it is not a GLCM, because to be a GLCM it has to be weapons delivery.

Chairman **Nunn**. So it would not be captured if it does not have a weapon under it, even though it is a cruise missile, it would not be part of the definition.

Ambassador **Glitman**. That is correct.

Chairman **Nunn**. I think this will lead to Senator Quayle's question, does this definition of a cruise missile apply to a hypersonic boost glide vehicle?

Ambassador **Glitman**. That is a good question. Let me try to answer it this way, although the question was what is it.

The treaty established four criteria for inclusion of a system under its provisions: the range, weapons delivery, ground-launched, it has to be a ballistic missile or a cruise missile as defined here. Now, if a system, this one that you have just mentioned, meets these criteria with the three exceptions that are spelled out in the treaty and all requested by the United States, and you will find them in article VII, paragraph 3, 11 and 12, with those three exceptions, it will be covered by the treaty.

But to answer your question, I have to know what that vehicle you have mentioned is, and I do not.

Chairman NUNN. Senator Quayle, do you want to follow up on that?

Senator QUAYLE. Yes. I did not bring it with me. I have a model of the hypersonic boost glide vehicle that I would be glad to show you to see whether this falls into the category or not.

Chairman NUNN. Go ahead and get it. We will bring it up later on.

Ambassador GLITMAN. How long have you had that model, Senator?

Senator QUAYLE. A few months.

Senator COHEN. He got it at a toy store.

Senator QUAYLE. I have a little model of it, probably 6, 7 months, I would imagine, I have had the model, and this thing has been going on in R&D. I am just curious that you cannot tell us whether that is in or out of the definition because it gets into this whole futures issue, and I think it is a big area that we ought to have some understanding of. This program is ongoing, and I just wondered, at DARPA, did they give you any advice on this, whether this would be captured by the treaty or not?

Ambassador GLITMAN. No.

Senator QUAYLE. Did you ever ask them?

Ambassador GLITMAN. I cannot ask about what I do not know about, Senator.

Senator QUAYLE. Did you ever consult with DARPA to say here is what we have in the treaty, do you have any R&D programs that are going to conflict with this?

Ambassador GLITMAN. The responsibility for informing DARPA or other agencies back in Washington of what is happening in the treaty lies with the people back in Washington, and I am sure they were keeping them in touch. We were hearing from other agencies when various issues came up.

Senator QUAYLE. So you did not have any communications from them, but you just presumed that the higher ups, which I would presume would be Kampelman and Shultz? I am surprised.

Chairman NUNN. I would think the military liaison people assigned, the Joint Chiefs' representatives would be the appropriate liaison for that kind of exchange.

Senator QUAYLE. But you cannot tell us whether the hypersonic boost glide vehicle is in the definition of ballistic missile or cruise missile?

Ambassador GLITMAN. I cannot tell you that.

Senator QUAYLE. I would hope the answer would be no because I do not think it is, but you cannot tell me that?

Ambassador GLITMAN. I do not know what its characteristics are, Senator.

Chairman NUNN. I think this is going to be important, so I would suggest you get someone to start on it, and maybe we can get an answer tomorrow morning when you come back, or for the record. This is part of the questions we asked, that I assume are being worked on now.

Ambassador GLITMAN. That is correct, Senator. They are being worked on.

Chairman NUNN. I would like to ask a policy question that relates to this same general area.

Richard Perle testified that he regards the banning under article II, paragraph 2 of conventionally armed ground-launched cruise missiles of INF range as, quoting him, "the single most serious defect in the treaty, serious enough to warrant an amendment that would ban nuclear but permit non-nuclear cruise missiles." He also said he believed that this amendment would not be a killer amendment, and he said, quoting him, that "after a suitable interval of plaintive propaganda" it would be accepted by the Soviet Union.

I have two or three questions on this. What was the Department of Defense position in the interagency discussions as to whether the conventionally armed GLCM of INF range should be banned?

Ambassador GLITMAN. I am not sure it would be appropriate for me to discuss the interagency discussions.

Chairman NUNN. Let's put it this way. Was this seriously discussed within our Government?

Ambassador GLITMAN. Indeed it was, Senator, and I would be happy to respond in a general way to that question.

Chairman NUNN. That will be fine.

Senator WARNER. I think your point is it was a policy decision made at the highest level after thorough discussion?

Ambassador GLITMAN. That is correct. The reasons for not permitting a conventionally armed GLCM or ballistic as well, I might add, both of them, any ballistic or cruise missile that meets the criteria is considered nuclear armed, and the reasons for that are, first, verification problems. It is extremely difficult to come up with a regime—I read one in the paper yesterday, but I still think it is very difficult if not impossible to come up with a verification regime which would provide confidence that a conventional cruise missile could not be converted into a nuclear one.

Let me just say now that this issue was discussed. Had the decision gone some other way, in favor of it, I made it clear at the time, and I would be happy to tell the committee now, that I would not feel comfortable in saying that it could be verified. Had we allowed conventional cruise missile, I would be here telling you today that I do not think that is verifiable.

Chairman NUNN. Mr. Perle says, Mr. Ambassador, that since the treaty allows GLCM of INF range, if they are not weapons delivery vehicles—that was the question asked a minute ago—in other words, if it does not have a weapon on it, it is an RPV, he says this is not verifiable.

Ambassador GLITMAN. I think they fall in a very different category. First of all when you are dealing with RPVs, you are going to have a different testing pattern. They are not going to be striking targets. We can verify that.

Second, the deployment pattern, the infrastructure pattern for an RPV is totally different from, or at least I would imagine considerably different, I do not want to say totally. One always has, well, you have trucks and so on—is different from what it would be for an attack cruise missile. Certainly we could tell the difference there.

Chairman NUNN. In other words, you can tell whether an RPV is not going to have a weapon on it or is not going to be capable of having a weapon on it?

Ambassador GLITMAN. It is the latter, and you certainly know from the sort of deployment pattern that was used whether it was used for RPV or for cruise missile in attack mode.

And I think the fundamental difference is this. If we were to permit conventional cruise missiles, the infrastructure for that conventional cruise missile would look probably identical to the infrastructure for a nuclear cruise missile, whereas if you are talking about RPVs, you have a very different sort of infrastructure involved. So our confidence would be far greater with an RPV situation than it would be with a conventional cruise.

In fact, as I said my own view is that I would not be confident regarding a conventional cruise.

But it goes beyond that. You have to ask yourself, if you permitted conventional cruise missiles, given the problems of verification, I think the overwhelming problems of verification, who would be most likely to cheat, and I do not think it would be the United States who would be most likely to deploy more of these things? And I think it is obvious from the historical record—I should not say obvious—one should see from the historical record that if we were to deploy such missiles, the Soviets would not be long behind. And then the question is who traditionally deploys more? And the answer there is pretty obvious, they usually deploy more of systems than we do.

So who would have a greater breakout potential? And there again, I think the answer is the Soviet Union.

Chairman NUNN. I think Mr. Perle would argue this is high technology area, the United States is ahead in this area, and could exploit it very significantly with ground-launched, conventionally armed cruise missiles.

Would you disagree with that?

Ambassador GLITMAN. We may be ahead today, but I still think these other points are valid. Today is one thing and tomorrow is another, and if they cannot invent it, they can find it and steal it.

So sooner or later we could find ourselves facing this force, and as I said, in a situation where the likelihood of their cheating is far greater in my mind and view than ours, the numbers that they are more likely, based on the historical record, the numbers that they are likely to deploy will be greater than ours, the breakout potential would be greater. Psychologically, it seems to me that we and our allies would end up considering a Soviet conventional GLCM force to be an INF force, so that the value of the INF Treaty, the political value would be undermined because we would be considering it as if it were nuclear anyway. We would react that way mentally. And so all the negative impact that those type of missiles have had on our alliance relationships, which we want to remove with this treaty, would be reintroduced via that system.

I understand that the Joint Chiefs of Staff have no plan for such a system and no mission for it. We have sea and air systems which are not covered by the treaty if we want to deploy conventional cruise missiles. We already have them on the ships. And I would say that the Soviets have opposed during the negotiations, permitting conventional cruise missiles, and they have repeated this opposition in recent days when this issue began to reach the press.

Chairman NUNN. In other words, even if we could negotiate such an exemption, as I understand your testimony, you would be opposed to it, and you are speaking for the administration, is that right?

Ambassador GLITMAN. That is correct, Senator.

Chairman NUNN. If the Soviets came up tomorrow morning and said OK, we heard Richard Perle's testimony, he is a fellow who we greatly respect and admire, and we are therefore going to be willing to have an amendment without it being a killer amendment, and you can put in the word "nuclear," thereby excluding conventional, what would your answer be to that?

Ambassador GLITMAN. I would be very worried if they were to do that, Senator, because I think all the concerns that I have expressed here would be reinforced by such a situation.

Chairman NUNN. You would oppose it substantively?

Ambassador GLITMAN. That is correct, Senator.

Chairman NUNN. You are speaking for the administration?

Ambassador GLITMAN. Yes, Senator.

Chairman NUNN. Do you believe this would be a so-called killer amendment, or do you believe that the Soviet Union would not view it as such and after a suitable interval of plaintive propaganda, it would be accepted by the Soviet Union?

Ambassador GLITMAN. It is difficult to speculate on what they will do, but I can say what they have done. They have opposed it during the negotiations, and in recent days they have renewed their opposition to such a system.

Chairman NUNN. Will the administration fight against such an amendment if it is offered either in committee, the Foreign Relations Committee, or on the floor?

Ambassador GLITMAN. I believe it will, Senator.

Chairman NUNN. One other question along this line.

What would be your view of an amendment if it were offered to the treaty, which would extend the ban on ground-launched cruise missiles within the INF range to include unarmed, as well as, armed vehicles?

Ambassador GLITMAN. Well, I think that would be a problem for us, Senator. It would in fact mean that we would be out of the drone business, and that is something that I think would be—your committee is perhaps in a better position to deal with that than I am as an individual, but it seems to me that that is something we would want not to—we would want to be able to continue to do, and I do think that the differences between drones and attack cruise missiles are sufficiently obvious, visible, that we should not be concerned about a drone force being turned into an attack cruise missile force.

Chairman NUNN. Thank you, Mr. Ambassador.

Other questions on article II? I was on paragraph 2, but we could go back and pick up anything you think we need to on paragraph 1, Senator Quayle.

Any other questions on these first two paragraphs?

Senator LEVIN. Just one question, if I could, on the RPVs. I am a little uncertain, if they have not been flight tested for weapon delivery, which I presume they would not be, then they are not included in paragraph 2, is that correct?

Ambassador GLITMAN. That is correct. They have to be weapons delivery to be included.

Senator LEVIN. I thought at one point that you said they are covered.

Ambassador GLITMAN. No, only if they were weapons delivery systems.

Senator LEVIN. Thank you.

Chairman NUNN. Senator Glenn.

Senator GLENN. Was there any discussions as to whether we or they planned to use cruise missiles that would be non-weapons missiles and use them in an RPV mode or electronic surveillance mode? It seems to me that is a very difficult area to monitor. You can put these systems in the back of a Safeway truck, and we would not be able to see them. They could do exactly the same thing.

You say these would be easily discernible. I was sitting here thinking about that. I am not sure I would agree that that would be easily discernible because everything that would go on them, would be placed in one vehicle. These are not very big vehicles themselves.

Ambassador GLITMAN. Well, there are two factors here, Senator.

Senator GLENN. Was there discussion about neither side using what could be dual-mode type vehicles?

Ambassador GLITMAN. We both realized we were excluding RPVs from this. They knew that and we knew that.

Senator GLENN. But how do we verify that? We want to be able to verify all these systems. How do we verify that they are not going to use it for weapons delivery?

Ambassador GLITMAN. There are two ways we can do it, and again, I think if we want to go beyond what I am going to say now, we will probably have to get into a closed hearing.

But one, the flight testing as a weapons delivery system is something we can verify. And second, it is the infrastructure, the kind of basing mode they would have, the type of weapon system, the trucks and all that goes with it would be different.

Senator GLENN. OK, we may want to discuss that some more in closed session because I would think you could use quite a number of these systems in closed trucks. Trucks would not even have to look alike. They do not all have to be a standard type vehicle.

But that is something we could discuss later.

Are we planning a closed session on some of these issues, Mr. Chairman?

Chairman NUNN. I am sure we will have to plan a closed session. We have just started, and already we have three or four questions.

Senator GLENN. Do you plan to do that en route?

Chairman NUNN. I would rather wait until the end, unless it is something of an urgent nature, and then come back. I think if we start interspersing, we will never get through.

Ambassador GLITMAN. If I may, Mr. Chairman, I would like to make one additional point to Senator Glenn's question, and that is that again we have to bear in mind here the political nature of these systems. They have to be seen to exist, to exert their political influence, and if they are hidden away and not seen, they do not create that decoupling effect.

Senator WARNER. If I might add, there are certain areas in here where there are different levels of verification. This obviously is one of the questionable areas. But it would appear to me that this would be one of the least likely in which the Soviets would want to cheat.

Would you concur in that observation?

Ambassador GLITMAN. Well, I would think so, Senator, for a number of reasons. First of all, it is somewhat difficult to set up a whole force structure like this. Second, it loses its political value if it cannot be seen. And third, to a great extent the Soviet Union has staked a lot of its public prestige on complying with this treaty. This is the first time that they have purported in public to be more concerned about verification than we are, more concerned about compliance than we are. That is going to be a standard that is going to have to be held to by them, that they will have to hold themselves in a way that they have not before. And that is the point I made about the difference here.

When they try to play the public relations game, they have to play by its rules or they will lose the benefits that they hope to gain from it.

Chairman NUNN. Senator Quayle.

Senator QUAYLE. This is the hypersonic boost glide vehicle. We had an unclassified briefing back in I think it was August, the July–August period on this, and this is what it looks like.

You will, I presume, at some time furnish for the record whether this is a cruise missile or a ballistic missile, whether it is covered or not, is that correct?

Ambassador GLITMAN. The administration is working on the questions which we have received on that subject, and when they are ready, they will be submitted to the committee, Senator.

Senator QUAYLE. Did this come up at all in your negotiations?

Ambassador GLITMAN. No, Senator, it did not.

Senator QUAYLE. You were not aware of this program?

Ambassador GLITMAN. The first I read of that program was in the American Enterprise Institute publication. That is the first time that I saw it.

Senator QUAYLE. That would have been within the last couple of weeks.

Ambassador GLITMAN. That is correct.

Senator QUAYLE. That is the first time you heard of the program?

Ambassador GLITMAN. That is correct. I wish that those who put it in the public domain would have told the negotiators about it.

Senator QUAYLE. I wish that would be the case, too, because as I said, we had an unclassified briefing back in August.

Chairman NUNN. Senator Quayle, do you want to explain that program to us, the aerodynamic features of it and so on?

Senator LEVIN. I wish you would point that at the other end of the table. [Laughter.]

Senator QUAYLE. Let the record show it is pointed in the right direction. [Laughter.]

Let me focus in on the response you gave to the chairman on giving up the conventional ground-launched cruise missile. If I heard you correctly, you said that if the non-nuclear ground-launched cruise missile had been allowed, you would have been before this committee today saying you could not verify that?

Ambassador GLITMAN. That is correct.

Senator QUAYLE. And therefore, verification was one of the critical elements in making the determination that we ought to go ahead with a total ban on all ground-launched cruise missiles, is that correct?

Ambassador GLITMAN. That is correct.

Senator QUAYLE. Given that understanding, I think that is my understanding too. I am glad you confirmed it for the record.

Given such a critical aspect in these negotiations, how are we going to be able to argue that we can retain the conventional cruise missiles, sea and air, when we have the same verification problems?

Ambassador GLITMAN. We have been able to argue so far in the START negotiations that they will be maintained. And it seems to me that that is, of course, a different negotiation.

We have conventionally armed SLCMs now. That program is in being and it is there. We do not have a conventionally armed cruise missile in the INF GLCM. So there is a difference between dealing with a situation that exists—and there will be difficulties, but that is for other negotiators to work out—and dealing with a situation that does not exist.

So I do not want to repeat all the points I made about who is most likely to take advantage of it, et cetera. I think in the case of the ground-launched cruise missiles, it did not exist as a conventional missile. In the case of a SLCM it does.

Senator QUAYLE. I understand, if the actual missile systems exists. But my concern is as we fell off on this particular issue because of verification and verification is a tough issue, I do not dispute that.

I am just concerned that we might find ourselves in the same box on the START negotiations, on the same precise issue. And I am sure that the Soviets will pound away saying, look, we dealt with that in INF, and we resolved that we could not verify it. Now, give us that, what we want, in START. Because we cannot verify it.

And the Soviets are the ones that really want to make sure that we were restricted on many of these conventional systems as well as nuclear systems.

Ambassador GLITMAN. We did not just have the question of verification. As I pointed out, the military side of, our military did not have any role for such a system.

It was not as if there was a role out there that was being cut out. But that is different for SLCM, where we have them and they have a definable role.

Senator QUAYLE. But you are aware, had not this treaty been in place, that we were well on our way to establishing a role and a requirement for the ground-launched conventional cruise missile?

Ambassador GLITMAN. That was not my understanding.

Senator QUAYLE. If that would have been your understanding, would that have changed your opinion?

Ambassador GLITMAN. I think not. I would still be concerned about who would take the greatest advantage of such a system.

Senator **Quayle**. And who will take the greatest advantage of such a system in START?

Ambassador **Glitman**. We have those systems in being now. I think what we have learned from the INF negotiation, where the Soviets tried to capture our sea-launched cruise missiles, that if we have a good position and a solid reasoning we can defend it, and we can carry the day on it.

Senator **Quayle**. But who prevails if we do not have any limitations on the sea-launched cruise missiles on a conventional basis and air-launched? The Soviets or the United States?

Ambassador **Glitman**. You are putting me into another negotiation.

Senator **Quayle**. I am just taking your positions to a logical extension. You say that the Soviets would gain more by not having this ban, that the Soviets have gained more on ground-based conventional cruise missiles and they will go ahead and use more of them. The same logic could apply to the sea and air-launched too.

Ambassador **Glitman**. It might. But then if you get a treaty through, there will be limits on it, if they are limited. In any case, we have the sea-launched cruise missile in a conventional mode now.

Senator **Quayle**. I hope we do not give it up. But that is for other negotiators.

Let me ask on the RPVs, if it is an RPV and unarmed, that is allowed?

Ambassador **Glitman**. That is correct.

Senator **Quayle**. If it is an RPV and armed, it is not allowed?

Ambassador **Glitman**. Then if it falls within the criteria, the range, weapons delivery, ballistic or cruise, ground-launched, it will be banned by this treaty.

Senator **Quayle**. Is an RPV a cruise?

Ambassador **Glitman**. It depends on the nature of the RPV. You have got a definition of a cruise here. If it fits the definition of a cruise missile, and fits the criteria for making the GLCM under this treaty, I will not repeat them, it will be captured by this treaty.

Senator **Quayle**. Our inventory, as you know it, of RPVs, do they fall in the category of cruise missiles?

Ambassador **Glitman**. I do not know that. Technically speaking they are.

Senator **Quayle**. We are talking technically here. So technically speaking, the inventory that we have of RPVs are in the category, in the definition of cruise missiles? Is that correct?

Ambassador **Glitman**. But not GLCMs under this treaty. There is a difference.

Senator **Quayle**. If they are ground-launched?

General **Partlow**. But they are not weapons delivery.

Senator **Warner**. Mr. Chairman, if I might ask, it would be helpful if the gentleman who is responding to the Senator's question would identify himself. I believe this is a very important series of questions. And the gentleman should be identified.

Senator **Exon** [presiding]. Would the gentleman answering the question please identify himself for the record, and we would be glad to hear from him.

General PARTLOW. My name is General Partlow, and I was Ambassador Glitman's adviser from the Joint Chiefs of Staff in the talks.

The question that Senator Quayle is asking——

Senator WARNER. Could the gentleman use the microphone?

General PARTLOW. Ambassador Glitman has responded to this. But there are two aspects to making something a GLCM.

It first of all has to be a cruise missile, and RPVs fit that aspect. They are by and large cruise missiles. But it also has to be a weapons delivery vehicle. And RPVs fail in that aspect of the definition. They are therefore not GLCMs, and they are therefore not covered by this treaty.

Senator QUAYLE. Could you make an RPV a weapons delivery system?

General PARTLOW. Technically, yes.

Senator QUAYLE. Technically, yes. So if it becomes a weapons delivery system, then it is prohibited?

Ambassador GLITMAN. That is correct. It then fits the criteria.

Senator QUAYLE. What if it is a new type of cruise missile and a weapons delivery system?

Ambassador GLITMAN. What is its range? Is it ground-launched?

Senator QUAYLE. It is still in the same range.

Ambassador GLITMAN. And it is weapons delivery? It is banned, if it fits the criteria.

Senator QUAYLE. Even if it is of a new type of cruise missile?

Ambassador GLITMAN. There can be no new types. There is no production of any INF system after entry into force of the treaty. There cannot be one.

Senator QUAYLE. You cannot have a new type of cruise missile that is unarmed?

Ambassador GLITMAN. Then it is not a GLCM. You have taken it out of the treaty.

Senator QUAYLE. What about a new type of cruise missile or RPV that would not be a weapons delivery system?

Ambassador GLITMAN. It is not covered. Let us go through them again. It has to meet four criteria.

Senator QUAYLE. And you say it is easy and we can in fact verify whether an RPV is armed or unarmed?

Ambassador GLITMAN. We can verify whether that class of systems, I mean you might find not one.

But if they turn it into a weapons delivery system, they are going to have to test it as a weapons delivery system and they will have to deploy it and have an infrastructure which is for a weapons delivery system. Those things we can tell.

Senator QUAYLE. But in our inventory now, since our RPVs are not weapons delivery systems, they are not covered by this treaty, even if they are in the range category?

Ambassador GLITMAN. That is correct.

Senator QUAYLE. What about drones?

Ambassador GLITMAN. Same thing.

Senator QUAYLE. Drones are not covered?

Ambassador GLITMAN. If they do not meet the four criteria.

Senator QUAYLE. Let me just tell you the criteria I am concerned about. I am concerned about the criteria of, I am using the words armed and unarmed. Now is that valid criteria of one of the things?

I am not concerned, I am just assuming it is all in the range, I am assuming the other things are there. I am focusing on the criteria of a new type that would be unarmed. And I understand that that would be allowed by the treaty.

Ambassador **GLITMAN**. Let us use the treaty language. It is weapons delivery.

Senator **QUAYLE**. Let us use weapons delivery.

Ambassador **GLITMAN**. If it is not a weapons delivery system, it is not covered by the treaty. If it is a weapons delivery system, it is covered by the treaty.

Senator **QUAYLE**. A drone is not a weapons delivery system, right?

Ambassador **GLITMAN**. A reconnaissance drone is not a weapons delivery system.

Senator **QUAYLE**. A reconnaissance drone is not a weapons delivery system. What kind of a drone would be a weapons delivery system?

General **PARTLOW**. One which delivers the weapon.

Senator **QUAYLE**. Do we have that?

General **PARTLOW**. I think we are getting into a classified area here.

Senator **QUAYLE**. You do not want to answer? OK, fine.

Senator **EXON**. He said you are getting into a classified area.

General **PARTLOW**. I think we are about to.

Senator **QUAYLE**. How about verification of a weapons delivery system or an unarmed system drone on verification? Is that easy to verify?

Ambassador **GLITMAN**. The same situation would apply to a drone.

Senator **QUAYLE**. I am talking about verification of it.

Ambassador **GLITMAN**. I am saying, I do not want to repeat the same thing over again, but I would be happy to.

We would be able to determine whether it was tested as a weapons delivery system and we would be able to determine whether its basing mode, its infrastructure, the troop training, the structure that goes with the troops, are for drones or for attack weapons delivery systems. They would be different.

Senator **QUAYLE**. So you have confidence that you can detect how this drone would be used, whether it would be weapons delivery system or not?

Ambassador **GLITMAN**. Yes. I am confident we could tell that it is a drone system.

Now, we are not talking about an individual drone. We are talking about establishing a militarily significant force. And again, I want to repeat the political point, which is crucial for understanding INF.

A force which is not seen and understood to be an INF force cannot carry with it the political impact that the Soviets have used that force for.

It is not decoupling if the allies do not see that thing out there against them and say, well, here is something that can reach us but not the United States. So we may not have U.S. support in defending against it. If you cannot see it, if you do not palpably feel it is there, then it does not work politically.

And that was my problem with the conventional cruise missile, because there you have got an infrastructure. By God, you have got the same infrastructure. You have got the trucks and the troops, and maybe the same shelters.

And then it is very hard to say, ah, but that is just a reconnaissance force. Because that is an attack cruise missile force, and it is armed. It has got weapons on it. It is weapons delivery.

And there I would have a hard time saying, well, I am confident. Because I would not be confident about that, unlike the reconnaissance force that we have been talking about.

Senator EXON. Gentlemen, I suggest we move along now. We have got a long way to go. Senator Warner.

Senator WARNER. Thank you very much. General, before you depart, a question regarding the testimony on the hypersonic boost glide vehicle. Was there consultation with DARPA, which as you know is the Defense Advanced Research Projects Agency, for the record, and would that possibly have been at your level. Is that correct?

General PARTLOW. Senator Warner, we are working now with that question, and developing an administrative, administration position to answer that series of questions.

To my knowledge, yes, there were in fact some queries made with regard to potential systems of any type which were on the horizon, and they were made by my bosses to the appropriate authorities. And they got answers which led to support, as Ambassador Glitman has suggested, of the position which the administration took in this entire issue.

But we will take this question for the record.

Senator WARNER. Thank you very much.

Senator EXON. Senator Levin.

Senator LEVIN. Just a quick question for the Ambassador. You made reference to an article in yesterday's Post. Could you provide us for the record your reaction to that proposal?

It seemed like a fairly creative proposal to me. But would you give us for the record your reaction to that?

Ambassador GLITMAN. Yes. We will take that question for the record, Senator.

Senator COHEN. Mr. Chairman.

Chairman NUNN [presiding]. Senator Cohen.

Senator COHEN. Just one last question on your point to Senator Quayle.

I hope you were not suggesting that because a force is hidden and not seen and therefore does not have a political impact upon the West Europeans, it does not pose a significant military threat.

Ambassador GLITMAN. No. I draw a distinction between the two. But I do believe that in the case of the INF systems, the political element was very, very important. Probably more important than the military.

But sure, it could be a military threat. That is different.

Senator QUAYLE. I just want to clarify one thing. A new ground-launched cruise missile type unarmed is allowed or not allowed?

Ambassador GLITMAN. If it is it not a weapons delivery system, even if it meets the other criteria, range, ground-launched, and so on, then it is not covered.

Senator QUAYLE. So it would be allowed?

Ambassador GLITMAN. It would be allowed on both sides.

Senator QUAYLE. A new type of ground-launched cruise missile that is unarmed, not a weapons delivery system is allowed?

Ambassador GLITMAN. An old type. Not a new type. An existing type of nonweapons delivery cruise missile would be allowed.[1]

Senator LEVIN. Mr. Chairman, on that narrow point, I think it is important when you say unarmed, which you have used at times, you mean that it has not been flight tested or deployed for weapons delivery?

Ambassador GLITMAN. I tried to use that phrase each time, Senator. Because if I slip, it is because I am parroting what I am hearing.

I agree with you entirely. We do not want to use armed or unarmed. We want to use the phrase "weapons delivery."

Senator LEVIN. But even that phrase, when you say it is not a weapons delivery system, you also mean by that phrase that it has not been flight tested or deployed for weapons delivery. Correct?

Ambassador GLITMAN. Absolutely correct, Senator.

Senator LEVIN. So that in either case, because we have used shorthand here, all of us today, we mean by the phrase "armed" something which has been flight tested or deployed for weapons delivery.

And when we use the phrase that it is a weapons delivery system, we mean something that has been flight tested or deployed for weapons delivery, regardless of what it actually is at the moment. Is that correct?

Ambassador GLITMAN. Thank you very much, Senator. You are absolutely correct.

Chairman NUNN. We are now on paragraph 8, or any other paragraph on article II that you might want to come up with. But we are trying to move forward.

The next submitted question is related to paragraph 8. My question, Mr. Ambassador, what does the word "normally" mean? Has any quantitative value been established for this word? For instance, more than 50 percent of the time?

Ambassador GLITMAN. May I answer your second question first? No. When I answer the first question you will see why.

The word "normally" means where they usually are. The reason we used that word was to deal with the situation where we have missiles, support equipment, et cetera, normally, usually at missile operating bases. But both sides want to be free to have those launchers and missiles go out into the deployment area.

So this word was designed to accommodate the fact that these are mobile missiles, that until they are eliminated we, as well as the Soviets, will want to be free to train with those missiles, and to have them on readiness. So that is why we used the word "normally." It just allows them to move around the deployment area.

---

[1] Question was not fully understood. Answer should be a simple yes.

Now, the missile operating bases are listed in the MOU, and that was our key interest here, to get them listed in the MOU. After entry into force of the treaty, no new missile operating bases can be created beyond those listed in the MOU.

So I think that, I hope that helps clarify why the word is there and what our reasoning was for it.

Chairman **Nunn**. Thank you. Any other questions on paragraph 8, article II?

If not, my next question would be on paragraph 12. There may be others in between. Does the definition of non-deployed missile include operational intermediate-range missiles located outside a deployment area?

Or operational short-range missiles located outside a missile operating base, if those operational missiles have occasionally but not normally been located at such areas or bases?

Ambassador **Glitman**. I think the easiest way to answer that is to note three things.

If a missile or missiles are in a deployment area, they are deployed. If they are at other declared facilities, they are non-deployed. If they are not in a deployment area or another declared facility or in transit, they are in violation.

And I think that is basically the answer to that question. You have to keep those things in mind, and you will see they are responded to that way.

Chairman **Nunn**. If such missiles have normally been located at such area bases but were not located there on November 1, 1987, are they considered non-deployed missiles?

Ambassador **Glitman**. I think you see the above answer, the answer I just gave you, will apply to that as well.

Chairman **Nunn**. Go ahead and apply it for us, if you would.

Ambassador **Glitman**. If such missiles have normally been located at such area or bases, were located there on November 1, if they were located on November 1 then they are at that base and they are deployed. If they were at a base on November 1 in a deployment area, they would be listed as a deployed missile.

Chairman **Nunn**. All right. Just reversing that a bit, if normally they would have been located at the bases but were not located there on November 1, are they considered non-deployed missiles?

Ambassador **Glitman**. If they were located not at a base, then they would have to have been located at one of the other facilities, and there, by definition, they would be non-deployed.

Chairman **Nunn**. Even though they normally would be located at such area bases?

Ambassador **Glitman**. Well, the word "normally" does not apply to an individual missile. It applies to the whole force.

And so again, remember what we are trying to do here is to permit a definition which allows missiles to operate away from the bases and in the deployment area, and still be considered deployed.

So the word "normally" was designed to allow us to say, well, normally missiles and launchers are at their bases. They normally are. But sometimes they are not. Sometimes they are out in the deployment area.

But in either case, they are deployed because they are within, the missile operating base is in the deployment area. And a missile at the base or out in the deployment area, out in the field, inside the deployment area, counts as a deployed missile.

Chairman NUNN. Other questions on article II? Those are all the questions I have on article II. I plan to go to article III next.

Senator QUAYLE. Let me make sure I understand this. Location as a definition means at the deployed area or at the place where it is being produced? What is the definition of location?

Ambassador GLITMAN. What is important is not the definition of location so much as where they are. And that determines whether they are deployed or non-deployed or in violation.

So if they are at or in a deployment area, that could be at a base, or out in the field, and each of the deployment areas is listed in the MOU, they are by definition deployed. If they are at a support facility for storage, repair, and so on, they are defined as non-deployed.

They can also be in transit, in transit between one of the support facilities and another support facility, or between a support facility and a base in a deployment area. With a special exception for shorter-range missiles, they can only be in transit to the elimination facility which is one of the support facilities.

If they are not deployed, that is, in the deployment area, non-deployed, that is, at one of the listed facilities other than a deployment area, or in transit, they are in violation. They must be in the deployment area at a declared facility or in transit. If we find a missile that is not in one of those three categories, it is a violation.

Now, after 3 years, they cannot be anywhere.

Chairman NUNN. Any other questions on article II?

Article III, what is the meaning of the words, "existing types," and does this include all modifications of the existing types? For example, the SS–20/Mod 2?

Ambassador GLITMAN. Senator, existing types are those listed in article III, spelled out there. And it would include modifications of the SS–20. The specific one that you mentioned here, the Mod 2.

Chairman NUNN. It would include that?

Ambassador GLITMAN. Yes.

Chairman NUNN. What is the difference between a modification to an existing type, as used in the treaty, and a new type?

Ambassador GLITMAN. In a way, the question does not really apply, because there can be no production of treaty limited missiles, stages, or launchers after the treaty enters into force. So there will not be any new types or modifications. They just cannot have any.

They cannot modify an existing type because they cannot produce, and they cannot produce a new type.

Chairman NUNN. As defined in this treaty?

Ambassador GLITMAN. Correct.

Chairman NUNN. Any other questions on paragraph 1?

Senator QUAYLE. Article III?

Chairman NUNN. We are on article III. Paragraph 2. Since the memorandum of understanding, the MOU, lists 84 Soviet SS–CX–4 GLCMs and four SS–CX–4 launchers as being located in a storage facility at J-E-L-G-A-V-A, Jelgava, in the U.S.S.R., why is this missile not listed as an existing type?

Ambassador GLITMAN. This missile, like the Pershing I-B, was never deployed. And so both sides agreed that while they would be considered treaty-limited items, and subject to elimination 6 months after the treaty enters into force, we would not list them as existing types.

But in a sense their fate is somewhat more, they achieve their fate more rapidly than existing types.

Chairman NUNN. So what happens to them?

Ambassador GLITMAN. They get eliminated in 6 months after entry into force.

Chairman NUNN. Six months after the treaty enters into force?

Ambassador GLITMAN. Yes.

Chairman NUNN. That is after it is formally ratified?

Ambassador GLITMAN. And enters into force, yes. After it is formally ratified.

Chairman NUNN. Other questions on article III?

Senator QUAYLE. Do we have any difference on inspection provisions on the SS-CX-4 and the Pershing I-B, which are existing but not deployed? Are the inspection rights the same?

Ambassador GLITMAN. They will be subject to elimination inspection.

Senator QUAYLE. So we have the same inspection rights to those systems as we do to the others? Is that correct?

Ambassador GLITMAN. That is correct. I just want to be sure I got it right. So I turn back to the experts.

Senator QUAYLE. That is what we are here for.

Chairman NUNN. If you want to call on any of your associates, maybe we should introduce them for the record, and we would be glad to have them come up and sit with you, if you would like. Whatever you prefer.

Ambassador GLITMAN. Well, Senator, we worked as a team in Geneva, and I used to tell them to keep those cards and letters coming, which they did.

The Soviets did not like that very much. But I found it worked well. And I would be happy to introduce them.

Chairman NUNN. Why don't you introduce them for the record.

Ambassador GLITMAN. All right. Starting there is Stan Fraley from the Office of the Secretary of Defense, Jim Hurd from the Office of the Secretary of Defense, General Partlow you have met, Mark Lowenthal from Intelligence and Research, Mike Matheson from the legal office in the Department of State, John Woodworth who is my deputy, Ambassador Woodworth from OSD, my wife. She has given me a lot of advice too.

Chairman NUNN. Is your wife authoritative, Mr. Ambassador? [Laughter.]

Ambassador GLITMAN. Leo Reddy from the Department of State, Jerry Cady from DIA, Susan Kosinski who is my secretary, she is also authoritative, Ron Bartek from the Department of State, Leon Pfeiffer who is not on the delegation but is from OSD and he is here now, Bob Simmons from ACDA, Karen Lawson who was our legal counsel.

Chairman NUNN. Good. We are glad to meet all of you. We appreciate your being here and appreciate your work on this treaty.

Do we have any other questions on article III?

Senator QUAYLE. One other question, getting into the word "type." Was there any attempt to define what "type" meant? New type?

For example, in SALT I and II, I think, or SALT II, they defined a new type as a change of 5 percent, or whatever it was. Was there an attempt to define what a new type of missile would be in this treaty?

Ambassador GLITMAN. Well, given that we were going to eliminate the missiles, ban production and ban flight testing, the problem is not there.

Senator QUAYLE. How about future systems?

Ambassador GLITMAN. The same thing. We have got the criteria, which we have gone through. If they meet the criteria, they will be banned by the treaty.

Senator QUAYLE. But the point is, if they meet the criteria, we are not exactly sure how the criteria applies to some future systems. I am looking at one right here and we cannot figure out whether it is in or out.

I was just curious, was there any attempt or run made at defining what a new type would be?

Ambassador GLITMAN. Our emphasis was on getting agreement on zero. Setting up the criteria in a way that there could be no new types of INF missiles.

We will answer your question on that particular system, Senator. We will get an authoritative response in writing from the administration. If it fits the criteria, it will be banned. If it does not, then it is another subject.

Senator QUAYLE. So in other words, the answer to my question is that there was not a lot of time spent on trying to define new types of futuristic systems? That this was not something you dwelled on?

Ambassador GLITMAN. The effort was on banning systems and any future systems that meet the criteria.

Chairman NUNN. It could be said right up front without even knowing what this is, that if it is an air system it is not banned.

Ambassador GLITMAN. Yes. If it is an airplane, a jet plane, it would not be banned. If it is ballistic or cruise, then it would be. And assuming it is weapons delivery and ground-launched and so on, and falls in the range category.

Chairman NUNN. Let me ask you one other question about those 84 Soviet SS-CX-4 GLCMs. You say they never went into deployment?

Ambassador GLITMAN. That is correct, sir.

Chairman NUNN. As far as your understanding, they moved from manufacturing directly to storage?

Ambassador GLITMAN. Well, in any case, whether they moved directly to storage I do not know. But that they were not deployed, we do know.

Chairman NUNN. They were never deployed?

Ambassador GLITMAN. Never deployed.

Chairman NUNN. Any other questions on article III? Article IV, paragraph 1. What parts of the intermediate-range missiles, launchers, support structures, and support equipment to be eliminated will remain after elimination, according to the terms of the treaty?

Ambassador GLITMAN. Well, if we turn to the elimination protocol, there we will find which parts and how the parts of the systems eliminated by the treaty are to be eliminated.

So no treaty-limited items subject to elimination will remain after the elimination period is over.

Chairman NUNN. Do you have a model, at some point, to show us what is, and is not required, to be eliminated?

Ambassador GLITMAN. I do not have a model anywhere near as nice as that. Apparently Secretary Carlucci did have one which he used to demonstrate that issue.

Chairman NUNN. Would it be convenient for you to bring that tomorrow, where we could get into that? Because as I recall it was developed after he testified before us, and we do not have any present plans to call him back.

Perhaps one of your people could bring the model and just demonstrate it for us.

Ambassador GLITMAN. We will try to find it and bring it here tomorrow. Again, it is all spelled out in the elimination protocol.

Chairman NUNN. Does article I prohibit the possession of the remains after elimination?

Ambassador GLITMAN. Well, article I essentially lays out that no treaty-limited items subject to elimination will remain after the elimination period is over.

But in itself does not do that. You have to go back to the protocol and the rest of the other sections of the treaty.

Chairman NUNN. Does article XIV prohibit an undertaking to reconstitute these remaining parts into a "system" having an INF-range capability?

Ambassador GLITMAN. No. The prohibition lies in the basic bans on such systems.

Chairman NUNN. So it would not be article XIV, it would be elsewhere?

Ambassador GLITMAN. It would be elsewhere.

Chairman NUNN. How do the Soviets eliminate their launchers? Do they actually destroy them?

Ambassador GLITMAN. The Soviets eliminate their launchers by cutting off a specified portion at the back of the launcher.

In so doing, our engineers are satisfied that launcher will no longer be capable of being used again for launching a missile. We had a long discussion on this, we had engineers and other people who looked at this. That is their conclusion.

Senator QUAYLE. How difficult would it be to remodify it?

Ambassador GLITMAN. Oh, there are other cuts that take place as well.

Senator QUAYLE. How difficult from the engineer's point of view would it be to remodify that launcher to make it capable?

Ambassador GLITMAN. My understanding was that you could not weld the parts back on and still be able to hold up the weight that the missile would require.

It would not be structurally sound, to use more elegant language.

Senator QUAYLE. So they keep the actual truck itself and part of the launcher that goes on the back of the truck? Is that what they keep?

Ambassador GLITMAN. They will keep the cab and that back part of their launcher, but which will no longer be capable of launching, erecting a missile.

We will keep our cab. We chose, we chose to cut our launchers in half because it was cheaper. Our launcher chassis apparently is more or less off the shelf.

Senator QUAYLE. Would it be cheaper for them to cut theirs in half as well?

Ambassador GLITMAN. Apparently not. They made a point of saying that they could use these things, that their society was not as wealthy as ours, and that they needed them. And indeed, they have publicized that afterward. You can believe it or not.

But I trust that our engineers were right. They looked at it and they are satisfied that the Soviet former launcher will not be a future launcher.

Senator QUAYLE. But we will actually sever ours? We actually sever ours in half? Is that the way that we eliminate ours? We just basically cut it in half and put it into scrap metal?

Ambassador GLITMAN. As spelled out in the elimination protocol. By the way, the Soviets also have to cut up the erector launcher mechanism, as well as cutting off the mountings.

So it is not just cutting off the end. There are these other cuts. And they could probably build new ones easier than coverting the old ones. In either case, they are not permitted to do either of them.

If it was not clear, we drive our cabs away. We do not have to cut ours up either. The cabs, the trucks.

Senator QUAYLE. We do not cut the cabs up, we save those.

Ambassador GLITMAN. We save those.

Senator QUAYLE. But the rest of it is all severed?

Ambassador GLITMAN. That was our choice.

Senator QUAYLE. We did it for economic reasons?

Ambassador GLITMAN. We did for economic reasons.

Senator QUAYLE. And the Soviets decided that they needed it for economic reasons as well. OK, I was just curious about the different standards.

Ambassador GLITMAN. Well, there is the answer. We did it because that is how we prefer to do it.

Senator COHEN. We are this throw-away society and they are the keeping society.

Senator QUAYLE. We are the rich capitalists.

Chairman NUNN. On article IV, any other questions? My questions on article V and VI have both been answered, except on paragraph 2, and I will have one on that.

Does anybody have a question on article V? I think the one I had here has just been answered. Mr. Ambassador, you have got a copy of the questions in the longer, clearer version. Right? The larger print?

Ambassador GLITMAN. Yes, I do.

Chairman NUNN. Okay. Paragraph 2, I have a question. I will go ahead with that, and we can come back. This is one that we read previously.

I know that Senator Quayle and Senator Cohen will probably remember this. This is a very awkwardly worded, paragraph 2 in article VI. Let me just read this paragraph.

Notwithstanding paragraph 1 of this article, each party shall have the right to produce a type of GLBM not limited by this treaty which uses a stage which is outwardly similar to but not interchangeable with a stage of an existing intermediate ground-launched ballistic missile having more than one stage, providing that that party shall not produce any other stage which is outwardly similar to but not interchangeable with any other stage of an existing type of intermediate-range GLBM.

I think there are too many negatives in there. I think it has unwound itself by the time you get through the definition. Do you want to comment on that?

I will be more specific, does this provision contain a double negative so as to allow either party to produce a type of GLBM not limited by this treaty, if the GLBM uses a stage which is outwardly similar to and interchangeable with a different stage of an existing type of intermediate-range GLBM?

Ambassador Glitman. Maybe the best way to answer it is to explain why it is there in the first place.

And it really gets back to something we discussed a little while ago, and that is the fact that during the course of the negotiations it became clear that the first stage of the SS-25 is, as the Soviets put it, outwardly similar to but not interchangeable with the first stage of an SS-20.

The question then arose, how to deal with this situation? The second stage was different. The launcher is different, the canister is different. Those, in fact, are visually different from NTM, in fact.

The Soviets at the same time were seeking to capture our sea-launched cruise missile on the grounds that not only was it outwardly similar to, it was in fact identical with the ground-launched cruise missile, that they used the same canister and the same shipping container.

So that is the context in which this issue was being negotiated. And the conclusion was that we would not, under any circumstances, permit them to touch the sea-launched cruise missile or to verify it, or to monitor it in any way, shape or form. And you will find there is none of that in this treaty.

At the same time, we were not seeking to use the INF Treaty to achieve the banning of the production of the SS-25 ICBM. Although there were questions raised about whether that particular missile fit the requirements of the SALT II Treaty. I do not want to go into all of that. But there was that issue there.

But nonetheless, our point was, putting that issue aside, we were not here in this negotiation seeking to capture a Soviet strategic system, provided that we could be satisfied that that strategic system was not in fact going to turn out to be an INF system.

With that background, we concluded that we could provide an exception for the SS-25. And what this paragraph does, essentially it says you can build an SS-25 with one outwardly similar stage. And they have chosen that stage, it is the first stage.

And you have to read this then in connection with article XI, where you then find the special verification arrangements which were set up, the monitoring at that factory, to cover that situation.

So what this effectively says is you can produce an SS-25, provided only the first stage is outwardly similar, and not interchangeable with. If it were both, it would be banned. Outwardly similar, not interchangeable with the first stage, only first stage. The second stage, banned.

Chairman NUNN. But you see, I think I understand the meaning. You are letting them do one stage that is outwardly similar to but not interchangeable with. That is permitted.

I understand that. I think that language is clear. But I really believe the second part of this, what you are saying that you are banning has a problem. Because as I read it, what you are trying to do is ban anything beyond that first stage.

The way you have worded it you attract the same language again. And so you say that the parties shall not produce any other stage which is outwardly similar to but not interchangeable with any other stage.

Now, you see, when you have got those, but not interchangeable with, if you turn it around, it seems to me you are saying they can produce another stage, which is outwardly similar to and interchangeable with.

Ambassador GLITMAN. But they cannot. Because if they did that it would be banned under the treaty. Because at that point they have an SS-20 stage.

Chairman NUNN. I think you have given them the right to do it here, by negative implication. I know it was not intentional, but I think there is a drafting error here.

Ambassador GLITMAN. Well, that is not our understanding of it, Senator. And I do not think it is the Soviet understanding that there is a drafting error here. I think they know very well they cannot do that.

Chairman NUNN. I think the drafting error comes in the fact of what you are permitting. You permitted in the first part a certain type missile, a certain type stage. And that is one outwardly similar to but not interchangeable with. If it was interchangeable with, it would be banned.

Ambassador GLITMAN. That is correct.

Chairman NUNN. In the next paragraph you try to use exactly the same language to preclude, and by doing that what you have is two negatives in there. And if that second negative is affirmative, if it is outwardly similar to and interchangeable with, then I think you have permitted it.

Ambassador GLITMAN. Well, our reading is that we have not. And I think that is also the Soviet reading. It is not permitted. It is banned if it meets both those criteria.

Chairman NUNN. Mr. Ambassador, I think I understand the intent, but I would appreciate it if you would get your lawyers to really look carefully at that one. I think it is one where there is going to have to be some clarification. Senator Cohen.

Senator COHEN. Let me ask one question going back to the philosophy behind this. Do they have a ground-launched cruise missile?

Ambassador GLITMAN. They have never deployed a ground-launched cruise missile.

Senator COHEN. That is not what I asked you. Do they have one?

Ambassador GLITMAN. They have a ground-launched cruise missile.

Senator COHEN. Which we have never seen?

Ambassador GLITMAN. We have now, Senator. We have those photographs, I am sorry.

Senator COHEN. All right. We have a photograph. They have given us a photograph of their ground-launched cruise missile.

Could we not have made the same argument that the two are quite similar? The SLCM that they have and their ground-launched cruise missile are quite similar?

I was wondering how we put ourselves in the posture of having to engage in a tradeoff, in essence. The SS-25 being married up in a tradeoff with the sea-launched cruise missile.

We are the ones who apparently took the initiative to say, wait a minute, we do not want you touching our sea-launched cruise missile and by the way, we will let you produce the SS-25, provided you go through the kind of rationale laid out in the treaty.

I am wondering why did we allow the Soviets to put us on the defensive on the sea-launched cruise missile when in fact the same case could have been made against our own systems?

Ambassador GLITMAN. I did make that same case, Senator. We were not put on the defensive. We simply did not entertain that.

I am just trying to say that from their standpoint they made that argument. Our response was precisely——

Senator COHEN. Why did you not just say we cannot tell the difference on yours either?

Ambassador GLITMAN. Because you can tell the difference to some extent on theirs.

Senator COHEN. How can you tell that? From a photograph?

Ambassador GLITMAN. The missile launcher and the canister from NTM, between the SS-25 and the SS-20, are distinctly different.

Senator COHEN. I am not talking about that.

Ambassador GLITMAN. You mean the Soviet SLCM?

Senator COHEN. Yes.

Ambassador GLITMAN. We made that argument. I am sorry. Thank you, John. We made that argument, that your GLCM and your SLCM are in the same situation as ours. So knock off the GLCM-SLCM point. That is about the way I said it.

Senator COHEN. We made that point. Then what?

Ambassador GLITMAN. Well, their concern, the next point was, were we going to try to stop the production of the SS-25? That is what the issue was?

Did we have grounds for concern that the SS-25 could be turned into an SS-20 or hide an SS-20? That was the issue. No, we dismissed their argument. I just want you to understand that it was not as if they did not have a counterspot. We used all those arguments with them about why their GLCM and SLCM were the same as ours.

I once said that the difference between GLCM and SLCM is the difference between earth and water, and the difference between the

SS-25 and the SS-20 are not that far apart, et cetera. That is why we have all these special arrangements to allow us to have extra monitoring and inspection of the SS-25.

Senator COHEN. I got the impression from the way you shortened up the testimony that somehow we were put on the defensive, saying that we want to save our SLCMs, and therefore in order to save the SLCM, we said "By the way you can go forward with the SS-25 provided you do not do the following things."

Ambassador GLITMAN. I am sorry. I am glad you asked that question. On the contrary, we were not at all on the defensive on that issue.

The real issue was, what do we do about the SS-25? And they were quite explicit that they were not going to give up the SS-25. That is another issue. And the question was, did we want to capture a strategic system in this negotiation? Or could we find a way in which we would be confident that that SS-25 would not become an SS-20; you may ask yourself why they would want to turn a SS-25 into a SS-20. That is another point. And that is why we have all the separate verification for that missile.

Senator COHEN. Thank you, Mr. Chairman.

Chairman NUNN. Senator Quayle.

Senator QUAYLE. Just on this point, Mr. Ambassador, if you just go down to the latter part of this on the double negatives, it says the parties shall not produce any other stage which is outwardly similar to, but it says, not interchangeable. That would be prohibited.

So as the chairman has pointed out, if you had a system that was outwardly similar and interchangeable it would be okay. The word instead of "but" should be "or." It seems if you just put in the word "or" there that you have clarified it. Because you do not care whether it is interchangeable or not. You do not want this thing being produced.

So I think it is the word "but" that gives all the problems.

Chairman NUNN. It is that "but not." If you had the word "or" there you would——

Senator QUAYLE. If you had the word "or" there you would clear this thing up. And I think somehow we ought to try to figure out a way to do that. It is not that difficult. It is one word.

You say the Soviets know what it means?

Senator COHEN. That is not a killer amendment, in other words. Would it be, Mr. Ambassador?

Senator QUAYLE. Would that be a killer amendment? That is a good question.

Ambassador GLITMAN. The question is whether we want to call into question what we understand this to mean and what we believe the Soviets understand this to mean.

But Senator Nunn has asked for us to provide in writing an explanation of this, and I think that would be the best way to proceed.

Senator QUAYLE. But the objective was to allow them to produce their SS-25?

Ambassador GLITMAN. The objective was to be satisfied that they were not producing SS-20s under the guise of producing SS-25s.

And the cure to the problem was to recognize that the first stage was outwardly similar, but not interchangeable with, and to ensure that that was the only stage which met that criteria, and to have a verification regime which would permit us to verify that this in fact was the case, that the second stage was not outwardly similar to the second stage of the SS–20.

But let us give an answer in writing to this question. It is a good lawyer's question.

Senator QUAYLE. I think, really, just, you know, "but" to "or," I mean that happens. It is not terribly unusual. It is not a big deal.

Chairman NUNN. The next question I have relates to article VII, paragraph 1.

How, and by whom is it determined that a missile has been flight tested or deployed for weapon delivery?

Ambassador GLITMAN. Again, if the missile falls within the range category, I am sorry, excuse me. I will have to get the right question.

It can be determined by national technical means and subject to a challenge.

Chairman NUNN. Can a party be required to demonstrate that its own missile is not a weapon delivery vehicle?

Ambassador GLITMAN. No. It would be subject to challenge. And a party may feel that it wants to do that.

Chairman NUNN. So the way of solving it if it is challenged is not spelled out? It is a matter of discussion between the parties?

Ambassador GLITMAN. That is correct.

Chairman NUNN. Paragraph 3, question 27. Who will determine whether a GLBM "is of a type developed and tested solely to intercept and counter objects not located on the surface of the earth?"

Ambassador GLITMAN. Again, it can be determined by national technical means and subject to challenge.

Chairman NUNN. Does the word "solely" apply to both development and testing?

Ambassador GLITMAN. Yes. But when I answer the next subquestion, I will point out that testing rather than what it has been developed for provides the criteria.

Chairman NUNN. Testing provides the criteria?

Ambassador GLITMAN. Rather than what it has been developed for, which is rather subjective.

Chairman NUNN. Right. If a ground-launched ballistic missile is developed for both ground and air targets, but has been tested only against air targets, it is exempted from coverage by this provision?

Ambassador GLITMAN. The answer is yes. If it is only developed for ground and air targets but it has been tested only against air targets, well, wait a minute. It is the testing that makes the difference.

Chairman NUNN. So the word "developed" is——

Ambassador GLITMAN. Yes. You really have to look at testing.

Chairman NUNN. In other words, the word "developed" is somewhat subjective and the word "testing" is more objective. Right?

Ambassador GLITMAN. Right.

Chairman NUNN. So you are going to apply the real test to the testing?

Ambassador GLITMAN. Correct.

Chairman **Nunn**. Any other questions on that? My next question is on paragraph 4. Is there an agreed meaning of the term "missile" in its standard design mode, flying until fuel exhaustion?

Ambassador **Glitman**. Well, here again, this term, as I pointed out, is known to both sides and includes a system's configuration and flight pattern. And it can provide the basis for a challenge. It was used in the SALT II Treaty.

Senator **Cohen**. Could I ask a question?

Chairman **Nunn**. Yes.

Senator **Cohen**. Who would they challenge? There is no SCC. You have got a different body that has got to be composed.

It is my understanding that there is no charter, no rules or regulations that have been devised at this point for governing the procedures under which those challenges would be carried out.

But the more important question, I suppose, is, in dealing with this issue of capability versus testing, suppose, ultimately, and maybe the experts in the room here would tell us, does it not come down to a question primarily of testing the volume of the system itself?

Would you not have to have some sort of testing of the volume of the bird before you could make a determination between its range capability and its tested range? That is question number one.

And number two, would we want them to be checking out the volume of our systems?

Ambassador **Glitman**. Well, let me deal with the first part, which was, how do you do it?

The SVC was specifically designed to permit the sides to choose the level and the timing for any complaints about compliance. And it was designed to be relatively ad hoc in that regard, so that it would not fall into the sort of routine pattern that the SCC has.

We could also use diplomatic means. So there is no problem with having a channel for making the challenge. If somebody wants to deal with that volume question, if not we can take it.

Senator **Cohen**. The note from your staff says no comment?

Ambassador **Glitman**. I think we ought to take that question.

Senator **Cohen**. You mean——

Ambassador **Glitman**. For a written answer. Do you want to repeat it, Senator, so we make sure we have it straight? Or we will get it off the transcript.

Senator **Cohen**. Basically you have answered the question, to whom do we address a challenge? What happens to the rules and procedures? I am still not satisfied we have got an understanding in place at this point.

I foresee all sorts of problems down the road in laying out the charter and the rules of procedure. But nonetheless, aside from that, the question then becomes, how do you distinguish between range capability and actual tested range?

And does that require a look at the volume of the vehicle itself to determine its capacity, fuel load, and so forth, in order to make that kind of determination? And number one, would we have access to look at their systems? And two, would we want them to have access to ours?

Mr. **Lowenthal**. The short answer, Senator, is no, the volume of the cruise missile is not going to tell you that, because within the cruise missile you have a fairly infinite ability to vary range and payload.

But as you test the system you are going to continue to test it to a desired range. And that is going to establish for us whether or not the system is in the range, and what its likely range is going to be.

Senator COHEN. That does not answer the question of capability, though.

Ambassador GLITMAN. Let me take the question.

Chairman NUNN. Could you identify yourself for the record?

Mr. LOWENTHAL. Mark Lowenthal, INR at State.

Senator QUAYLE. Did you say in SALT II that we did in fact get a definition of what the standard design mode of flying until fuel exhaustion means?

Ambassador GLITMAN. No. I said that this definition here is the same as the one used, this particular phrasing is taken from SALT II. Both sides are familiar with it.

Senator QUAYLE. But in SALT II they did not get a firm understanding of that definition.

Ambassador GLITMAN. It is as firm as this will be. And the key is that it provides a basis for challenge. That is what we need here. Do we have grounds for challenging them? And this will provide it. And vice versa, we had better understand.

Senator QUAYLE. I will just read what Secretary Vance said about this clause that we took from SALT II. He said, the United States was unable to get the Soviets to confirm our interpretation of what this rule meant.

That is the same definition we have in this treaty. We could not get it in SALT II, and apparently we could not get it here either. That was in SALT II.

Chairman NUNN. Which specific provision are you talking about?

Senator QUAYLE. This third point you were bringing up, the fuel exhaustion. The United States was unable to get an agreement on missile in its standard design mode, flying until fuel exhaustion.

We did not get that in SALT II, we took the same language out of SALT II and put it in INF. According to Secretary Vance, we were unable to confirm it then, and obviously we are unable to confirm it now.

Ambassador GLITMAN. Could you give us a citation so we can just see where that came from, Senator?

Senator QUAYLE. Document 12(b), page 19. Does that mean anything? Good.

If ballistic and cruise missiles have been flight tested or deployed as non-weapons delivery systems, are all missiles of that type considered to be non-weapons delivery systems?

Ambassador GLITMAN. Until one of them is tested as a weapons delivery system they are non-weapons delivery systems. Once one is tested as a weapons delivery system, then they all fall in that category.

Senator QUAYLE. So once one of them is tested as weapons delivery system, then in that category all types fall into that category, but we do not have a definition of what types other than the standard four definitions?

Ambassador GLITMAN. We have the criteria.

Senator **Quayle**. Would we have a mixture, particularly like drones and RPVs, and I think more in perhaps the RPVs where you would have an RPV that you might want to look at and you test in a different range as a weapons delivery system, or say you tested it within one time within the 555 kilometers. Does that taint the whole RPV system?

Ambassador **Glitman**. If you have tested it as a weapons delivery system, and it fell within the range category, just once, just like the strategic system that is tested just once above 5,500, it has demonstrated that it is a weapons delivery system.

And so all missiles that are indistinguishable from that one, or drones, would be captured, if it met the four criteria.

Senator **Quayle**. What about a missile that might be an existing cruise missile or existing RPV that would be, say, have weapons delivery capability and they modify it and they say that it is now not a weapons delivery capability, but it has already been tested in the past as one?

They modify it and it comes under the definition of new type. It is a different type of cruise missile, and they say this one, folks, is unarmed. Is that allowed?

Ambassador **Glitman**. If it is indistinguishable from the banned system, it is not allowed. If they produce a new system and it is no longer a weapons delivery, and it does not meet the other criteria, then it is not covered.

Senator **Quayle**. And if it does not meet the other criteria, and if they take a system that in fact had been a weapons delivery system and they come up with a new type and they declare that this is not a weapons delivery system, then it would be allowed?

Ambassador **Glitman**. If it is indistinguishable, if it is the same system and they just tell us, well, this is now a conventional system, the answer is it is banned.

Now, they do not have one of these things now, as we pointed out. So we are talking really in a hypothetical about whether they build a new one. So let us be realistic. They have those SS-CX-4s, which they never deployed. They have never deployed anything like that.

Senator **Quayle**. Not yet.

Ambassador **Glitman**. We have. So the problem would be more for them to face than for us.

Senator **Quayle**. I think that is clearly the case. And I think this whole issue is directed right at us. And that is what concerns me.

Ambassador **Glitman**. And I do not think there would be a problem. It seems to me the issue here is, do you have a weapons delivery system with an RPV or do you not? And I believe the answer is that you can tell the difference.

If it is weapons delivery—I will not repeat all that, we are going to continue to use shorthand—and it meets the other three criteria, then it is covered by the treaty.

Senator **Quayle**. Are RPVs now weapons delivery systems?

Ambassador **Glitman**. If it is a reconnaissance vehicle, it is not a weapons delivery system. I would have to defer to others as to whether we have any RPVs which are secretly weapons delivery. And if we do, I doubt we would want to say in open hearing.

Senator QUAYLE. I guess, Mr. Chairman, the question would be this. If, in fact, we do have RPVs that would be weapons delivery systems, and if in fact he says that if we would have that then evidently the category of all types would therefore be banned by that. And I would just be curious, I do not know the answer to that.

Chairman NUNN. I think that would be one we would want to get into in closed session. And we would ask the Ambassador's team to make a note of that, and our staff to make a note of it. And when we have an executive session, we will be prepared.

Senator QUAYLE. The same would apply to drones, because I think that this is the thing that I have wrestled with as to how far and how expansive this definition would in fact go, because you say if you test it once then that whole category in fact would be banned. And I would imagine that you might want to see some sort of mix.

Ambassador GLITMAN. It does not mean you cannot have drones. It means you cannot have a drone that looks like that.

Senator QUAYLE. You cannot have a drone that is a weapons delivery system.

Ambassador GLITMAN. That is correct.

Chairman NUNN. Or is that type. You could have another type.

Ambassador GLITMAN. You could build a different type of drone that we would distinguish as totally different.

Senator QUAYLE. And the question is, how much do you have to go before it is, to use your words, indistinguishable?

I mean, I do not know what we work from other than the word "indistinguishable."

Ambassador GLITMAN. That is a pretty good word.

Senator QUAYLE. Is the word "indistinguishable" in here, in the treaty?

Ambassador GLITMAN. I am not sure I could find it offhand.

Chairman NUNN. What I would like to do for the rest of the time this evening is go down through article XIII and stop there, so we come back tomorrow morning on article XIV, which is going to be one that we have a lot of questions on.

I am going to ask three or four more questions, but then a number of these questions that are between here and there would be left to be answered for the record, unless someone else wants to raise them.

Senator QUAYLE. Tomorrow, if we wanted to go back——

Chairman NUNN. We are not going to be inflexible about it, but I would like to start tomorrow morning with article XIV, so we could all know where we are going on that. And so Ambassador Glitman can get prepared, because I think that article XIV is one that is going to have a lot of questions. One that both you and I have a lot of questions on. If somebody wants to come back we can come back.

My next question, Mr. Ambassador, is number 30, which is paragraph 7. Could an SS-25 launcher, which is allowed under the treaty, be used to launch SS-20 missiles for elimination?

Ambassador GLITMAN. We believe it is not technically feasible, but if the Soviets did launch an SS-20 from an SS-25 launcher, then all SS-25 launchers would become subject to elimination under the INF Treaty.

Chairman NUNN. It would be a mistake then, right?

Ambassador GLITMAN. It would be a big mistake.

Chairman NUNN. From our point of view, if we enforced it, this INF Treaty would assume certainly more military significance than we ever dreamed. Right?

Could the Soviets use SS–25 launchers for training, using simulated or dummy SS–20s, without such training constituting any violation of the treaty?

Ambassador GLITMAN. I have a little trouble fully understanding the question, Senator. But if a missile is indistinguishable from an SS–20, it would be banned. If that was the nature of the question.

I was not sure why they would want to do that anyway, frankly.

Chairman NUNN. My next question would be on article IX, paragraph 3, I am skipping over some questions. These others, are important questions from our point of view, but I would leave those to you for the record. And of course the sooner we get the answers, the better off we will all be.

Article IX, paragraph 3, which is question 38. What recourse is available to the United States under the treaty in the event that the updated data provided to the United States 30 days after the entry into force does not coincide with our own information?

Ambassador GLITMAN. Well, first of all, that updated data will be subject to on-site inspection. And we can raise any questions in the Special Verification Commission concerning it.

Any discrepancies between the on-site inspection count and that achieved by our NTM can be raised in that manner, or via diplomatic channels.

Chairman NUNN. Let me move on to article X. Senator Quayle, if you need to come back on any of that, you are welcome to.

Paragraph 8, which is question 39, do the Soviets agree that bases or facilities listed in the MOU but not in the updated data exchange, that are eliminated prior to entry into force of the treaty, are subject to "baseline" on-site inspection pursuant to article XI, paragraph 3?

Ambassador GLITMAN. Yes.

Chairman NUNN. They do agree to that?

Ambassador GLITMAN. Yes, they do.

Chairman NUNN. Article XI, paragraph 3, how do we reconcile the differences between the data presented in the memorandum of understanding and the update provided 30 days after entry into force?

Ambassador GLITMAN. Again, the on-site inspection regime will be available to verify the inventory of the side's forces as of 30 days after entry into force.

The MOU data was not subject to onsite verification. We can challenge the Soviets concerning any discrepancies.

Chairman NUNN. So the answer to part two of that, do we have inspection rights to verify the cause for the differences, the answer is we do?

Ambassador GLITMAN. Via the onsite inspection, we can certainly check that out. Yes, I think the answer is yes. We have the onsite inspection there.

Chairman NUNN. So the differences can be checked by on-site inspection, but the MOU cannot?

Ambassador **GLITMAN**. The MOU cannot. And that is why we worded it the way we did. It specifies that the parties are responsible effectively only for the accuracy of their own data, since we knew there was no way we could verify that, except via NTM.

But 30 days after the treaty enters into force and the updated data is available, then we will be able to verify that. If there are any discrepancies, they will have to be not between the MOU necessarily, because both sides are free to move, but between what our NTM tells us has happened between November 1 and entry into force and the exchange of data and what we see.

And we are free to ask them, well, what happened to these systems? Where are they? And so on. And vice versa. As you know, we shot off six Pershings a couple weekends ago. So they are going to be asking where they went.

Chairman **NUNN**. Paragraph 4, which is question 43. If a scheduled elimination date occurs during the period from 30 to 90 days after entry into force and the facility is inspected pursuant to paragraph 3, that is the baseline inspection, after the scheduled elimination date, does this paragraph preclude additional inspections, even if the facility has not been eliminated?

Ambassador **GLITMAN**. No. If a facility has not been eliminated, see article X, paragraph 8, then it would be subject to close-out inspection when it has been eliminated.

Chairman **NUNN**. Senator Quayle, interrupt me anywhere you would like to. I am moving on and skipping a lot of questions.

My last question this afternoon on this part, and I will have one or two more on policy, if we would turn over to article XIII, paragraph 1. In subparagraph (b) are the additional measures "to improve the viability and effectiveness" of the treaty subject to ratification in accordance with the constitutional procedures of each party?

Ambassador **GLITMAN**. I think here they will not involve any changes in obligations, these type of additional measures you cite here in question 64. We are talking essentially of technical changes.

Chairman **NUNN**. You think that means they would not have to be ratified in accordance with constitutional procedures? What do your lawyers say?

Ambassador **GLITMAN**. This is indeed a legal issue.

Chairman **NUNN**. Why not let a lawyer identify himself?

Mr. **MATHESON**. Michael Matheson, Deputy Legal Adviser in the State Department.

Mr. Chairman there are procedures in each of the protocols for changes in technical details. These provisions were designed to make possible rapid technical amendment so that the treaty could keep up with the real life situation.

This procedure for rapid technical changes would not require advice and consent of the Senate. This is similar to arrangements that have been made in several other treaties recently, environmental treaties particularly, where there were technical annexes which required rapid updating.

And those provisions could be changed by the parties without reference to the constitutional ratification procedures.

Chairman Nunn. Could you furnish for the record your definition and the precedent for that, and where we draw the line?

Mr. Matheson. Certainly.

[The information follows:]

Chairman Nunn requested that we provide for the record the administration's definition and precedent for the special procedures for technical changes in the two INF Protocols.

The penultimate paragraph of each of the two Protocols provides that the Parties may agree upon measures to improve the viability and effectiveness of the Protocol, through the Special Verification Commission established pursuant to article XIII of the treaty. Such measures will not be deemed to be amendments to the treaty. Thus, while substantive obligations cannot be changed absent an agreed amendment to the treaty, minor matters relating to the detailed inspection and elimination procedures may be altered through agreement of the Parties in order to facilitate the implementation of the regime.

There are a number of precedents in recent years for such procedures in treaties ratified by the United States, particularly with respect to environmental and maritime treaties with technical annexes which may require rapid technical updating. For example, article VI of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, relating to ship construction and discharges, provided that the procedures of an earlier convention would apply to amendments of certain technical annexes. Article 16(2)(f)(iii) of the earlier convention (the 1973 International Convention for the Prevention of Pollution from Ships) provided for amendment of such technical annexes, if such amendments were approved by the International Maritime Organization and if a specified period of months elapsed without obligations from a certain number of parties. No ratification procedure is required for such amendments to technical annexes. Similar procedures are provided with respect to a technical annex in article VIII (b)(vi) of the Safety of Life at Sea Convention, on safe construction and operating practices for ships.

Article XIII of the 1985 Treaty with Canada concerning Pacific Salmon provides for amendment of technical annexes by exchange of notes between the two governments. The section-by-section analysis submitted with the treaty states that "since Annex IV contains fishery regimes that will be revised routinely and frequently, changes to these regimes will not be submitted to the Senate for advice and consent."

Ambassador Glitman. Senator, I think it is important not to jump to the conclusion that just because—and I have done it myself in a way, you know. When you look at this and you immediately say, well, agree upon such measures as may be necessary does not require, is somehow separate from amendment. But in fact you can agree upon measures as may be necessary and then decide that that requires an amendment.

So I think it will depend on the situation. But what we had in mind here was essentially if it requires a change in the obligations, then it requires an amendment obviously subject to ratification procedures.

If it is a technical change, if we find a new kind of measuring device, if we decide to use some kind of new technology that comes up which will be helpful to the inspectors, which we had not foreseen, we do not necessarily want to bother the Senate with whether we can come up with a different kind of a scale, for example, or weighing device or something like that.

Chairman Nunn. I think there is definitely a line to be drawn, no doubt about that. The question is where that line is drawn, so we will all have an understanding on it.

Then the question I have next for the attorney, once you say that something does not have to be subject to Senate approval because it is technical, and does not change the obligations.

Whatever your definition is, do these have to be reported to the Congress under the Case Act, which requires the reporting of executive agreements?

Mr. **Matheson**. We will do so.

Chairman **Nunn**. Is that something you think is covered by law?

Mr. **Matheson**. Yes, I think so.

Chairman **Nunn**. Also relating to article XIII, although article XIII contains no description of how the Special Verification Commission will operate and practice, have the operating procedures been discussed with the Soviet Union, Mr. Ambassador?

Ambassador **Glitman**. We, as I said, deliberately chose to keep the SVC as close to an on-call body as possible. And therefore we have left ourselves the flexibility, aside from the right to call the Commission and the obligation for the parties to meet, for flexibility to determine where, when, and at what level we will press our concerns.

Chairman **Nunn**. Why was it necessary to establish the SVC when the SCC already existed?

Ambassador **Glitman**. There was a sense in the administration the SCC could be improved upon. And the direction that we chose, was to avoid, to take the body of the INF Treaty away from the routine sort of every 6 months or so meeting that the SCC has, always meeting at the same level, and to give it this sort of ad hoc approach so that we could tailor the level of our approach to the level of the issue.

In other words, we would like to start out perhaps, if there is a violation we would start out with a technical group at first. If we were not satisfied at the technical level, we could raise the representation at the next meeting of the group. And we could call that next meeting when we saw necessary.

Chairman **Nunn**. Will the SVC have a secrecy rule similar to that of the SCC that will keeps its deliberations classified?

Ambassador **Glitman**. I would expect so.

Chairman **Nunn**. Has that been agreed on?

Ambassador **Glitman**. No.

Chairman **Nunn**. Will Congress be allowed access to the SVC's proceedings?

Ambassador **Glitman**. That too has not been discussed.

Chairman **Nunn**. With the Congress or with the Soviets? Or either? You have not decided that?

Ambassador **Glitman**. No.

Chairman **Nunn**. I was going to ask if you are going to consider that, the question of guidelines about Congress' role or whether the Congress is to be kept informed of the SVC's activities. Could you give that some consideration and then we will come back to it later?

Ambassador **Glitman**. I could, and I see your point. You want to ensure that in some way Congress is aware of what it is doing.

Chairman **Nunn**. The whole question of verification and the regime has been a frustration for the SCC and this administration in particular. There is a big debate about whether this administration has made the problems worse by not taking things to the SCC. We will not get into that debate now.

The question is, by having some kind of relationship here where Congress is, or at least appropriate committees are kept informed, you perhaps raise the visibility of SVC and thereby make it a more important forum.

I think it is something for both of us to think about. I am not suggesting it now. I just throw it out for thought.

Ambassador GLITMAN. I will be happy to take that back.

Chairman NUNN. You may convince me there is a reason against it, so I am wide open.

In his testimony before the Senate Foreign Relations Committee, Richard Perle said that diplomatic channels are a more effective means of addressing and resolving questions of compliance, because using these channels emphasizes the importance of the issues raised. That is again along the line we were just talking about.

Was there any consideration given to the idea of relying on diplomatic channels rather than establishing another commission?

Ambassador GLITMAN. Yes. Diplomatic channels are not foreclosed by this approach.

But the administration concluded in the end that it wanted a commission, a compliance forum, not the SCC, something different, but a compliance forum nonetheless, and not to rely solely on diplomatic channels.

Chairman NUNN. Senator Quayle.

Senator QUAYLE. Let me just sort of back up here a bit. On article VIII, paragraph 9, training missiles and training launchers.

Do we have a clear understanding of what a training missile and a training launcher is?

Ambassador GLITMAN. Yes. And if you look in the MOU, you will find definitions there. It spells them out, and we will have an opportunity for onsite inspection, of course, which will include the training missiles and the training launchers to verify that they are in fact incapable of launching, are inert.

Senator QUAYLE. Inert meaning without propellant?

Ambassador GLITMAN. Without launchable propellant anyway.

Senator QUAYLE. And that is in the memorandum?

Ambassador GLITMAN. Yes.

Senator QUAYLE. I would like to focus on this data base for a moment. We have a memorandum of understanding, a data base. We will exchange data bases 30 days after the treaty is formally ratified. Then we will match up and see if there is any discrepancies.

Let us assume that there are. I read in the press where they are beginning the elimination process, and I think we are in some cases as well. In fact you have a discrepancy between the data base that we have right now and the one that they give us.

And the one that they give us is basically the one we will be operating off of for compliance purposes. Is that correct?

Ambassador GLITMAN. That will provide the inventory account, and what we are going to do, is in effect take an inventory count of the Soviet systems, and that is the basis upon which we will carry out a further verification of the treaty.

Senator QUAYLE. What inspection rights do we have when we find a change in the data base? And the fact that they state they have eliminated missiles?

What inspection rights, do we have the right to go to where we thought they were? Or are we pretty well relegated to the declared sites and declared facilities?

Ambassador **GLITMAN**. Well, I think the question really that you raise goes to two points, essentially. Do they not?

One is, could they develop a covert force? And that is the heart of your question, the heart of your concern. Because what you are saying essentially is, what if they said they eliminated the entire force and in fact they did not eliminate any?

Senator **QUAYLE**. That is at the back of my mind. What I am just wanting to do is to make sure what inspection rights we have for verifying the declared missiles that they are going to say are eliminated.

Ambassador **GLITMAN**. That is the point. And the point is, I think I was correct, in the back of your mind lies this concern that they could hide a force away. Otherwise, I do not think you would have the question.

Senator **QUAYLE**. I just want to make sure that they do what they say they are going to do.

Ambassador **GLITMAN**. I understand. The treaty does not take effect until it enters into force. So we have no rights now, nor do they, to tell us what we or they can do between now and the time the treaty enters into force.

They are capable of eliminating systems, we are and have. They are going to carry out a promise that Mr. Gorbachev made in public. It looks as if they are going to carry it out, because they have said so.

And he made a promise in public that after the treaty's signature, he would begin to remove the missiles from East Germany and Czechoslovakia, and they have made public statements to that effect. They are going to do that.

So they are going to carry through on that public commitment that he made. We have no rights under the treaty to tell them no, no, keep those missiles in East Germany, Czechoslovakia, because when you take them out we are going to do a check of that base and they will not be there. We cannot do that, nor can they do the same to us.

So the question really is, When the treaty enters into force, can we take an inventory count? Yes, we can. Can we ask them, well, why are you lower now and what did you do with them? Sure, we can ask them that. They can ask us.

Can we inspect and go somewhere? We can go to every place that was declared in the MOU. We can verify that the missiles, what the missile count is on that day, and verify that they are not there.

But that really leads to two questions. And I think, if I am not mistaken, you were on to both of them. One is, could they hide a covert force? And second, could we go anytime, anyplace, anywhere? And you did make that point.

And the fact is we cannot under this treaty go anyplace anytime. This inspection regime is in a zero environment. And it is done in a way which allow us to verify that the missiles no longer exist at those places, in a context of zero.

For START, that is a different story. You are not down to zero. It is a lot more difficult in the START environment. So we have a verification regime attuned to the outcome that we have got in this treaty.

As for the covert force, we cannot guarantee 100 percent, with this verification regime or any other. But it does seem to me that if they are going to try to hide a covert force, it would have been easier not to have declared things on November 1 than to have declared them and then said, well, we have eliminated them and they are not around anymore, and so on. But that is another point.

I think the key thing is that we cannot guarantee 100 percent, but I do think that the treaty's verification regime does provide us with confidence that a militarily significant force, covert force, cannot be established or maintained.

Senator QUAYLE. So if in fact they would take missiles, and you said that Gorbachev has stated they are going to take them from Czechoslovakia and East Germany and begin eliminating them——

Ambassador GLITMAN. He did not say begin eliminating them. He just said they would move them.

Senator QUAYLE. He is going to move them.

Ambassador GLITMAN. That is what he said. That is a promise he made, an obligation he made outside of the treaty.

Senator QUAYLE. And what do we think he is going to do with those? Is he going to take them to one of the sites that we have inspection rights to? Or is he going to take them someplace else?

Ambassador GLITMAN. He is obliged to demonstrate to us that all of those missiles which he declared in the MOU are eliminated. We will have to find out that they are down.

Now, in the end, we have got to see that they are down to zero. That is our aim. Are they down to zero? Have they eliminated their entire force? That is the obligation he has under the treaty.

Senator QUAYLE. They have told us that they will prove to us that these missiles that they are in the process of now moving have in fact been eliminated?

Ambassador GLITMAN. Again, there is nothing in the treaty which requires them to take any action covered by the treaty until the treaty enters into force, or not to take actions. They are free to do that.

Senator QUAYLE. I am talking about, and I do not quarrel with that, they can do anything that they want between now and then. The treaty is not binding. It is not binding. They can do anything they want.

But they could deploy more if they wanted to. They can do anything they want to. It is not binding. I understand that.

My interest is to see what our inspection rights and our verification regime is in these particular areas where you, in fact, may have a gap between the memorandum of understanding that we have now and the data base that they are going to give us 30 days after the treaty goes into force.

Because the data base that they give us 30 days after the treaty goes into force is the data base that we work from for compliance purposes. There could very well be a gap. He could say, gee, you know, these missiles that were on this memorandum of agreement, we have eliminated them.

My concern is, and my question is, what inspection rights do we have to go in to make sure that they have done what they said they were going to do?

Ambassador **Glitman**. Again, our rights are to conduct an on-site inspection of the data base on the 30 days after the treaty enters into force. That exchange we can handle on-site.

What happens between now and then, we have no inspection rights to cover. But it gets down to what you had in the back of your mind. Could they have a covert force? That is the crucial issue here, it seems to me.

I mean, I agree with you, we have an inspection regime. But the question really goes down to its fundamentals, and the fundamental is, could they have a covert force?

And my view is that with the overall inspection regime that we have, the verification regime, no flight testing, no production, on site inspection, the ability to maintain a covert force, the risks that they would run in a zero environment of doing so would make that very unlikely.

Senator **Quayle**. And if it would be unlikely, and if there would not be very good military incentives to go ahead and have this covert force now, it seems to me that there would be very little problems in having them come forth, and we could in fact have certainty that these missiles are going to be eliminated. If in fact you have this gap.

We have never gone through this. We do not know. Maybe they will give us essentially the same thing. And we will start from the data base that we have. I sort of surmise that we will not. But I do not know. We have not done this yet. We will learn.

Ambassador **Glitman**. We will learn, and I think that the treaty will protect us against the main concern here, which is could they establish a covert force?

There is nothing to prevent us from asking them or them from asking us, well, what has happened between November 1 and the date of entry into force? And what has happened to those that have been eliminated?

Senator **Quayle**. But if they move this to, say, a new deployed area, if they take these missiles that they are moving now out of East Germany and Czechoslovakia into a new deployed area, we do not have inspection rights really to go to that new deployed area, if it is not identified in this. Is that correct?

Ambassador **Glitman**. A problem.

Senator **Quayle**. Problem?

Ambassador **Glitman**. You cannot have a new missile operating base. The only missile operating bases you can have are those that are in the MOU. You cannot create a new one.

So when the treaty enters into force, those missiles will either have to be at an elimination facility, or at some other declared facility. Unless they have destroyed them.

Senator **Quayle**. Unless they have destroyed them or covertly hid them.

Senator **Warner**. I wonder if I could interject with a question? Are the continuous inspections limited to portals and not perimeters?

Ambassador GLITMAN. No, you can do both portals and perimeters. Perimeters, essentially you can set up sensors or you can walk around them. And we in fact have had our first walk-around at Votkinsk.

Senator WARNER. That is interesting. We have already?

Ambassador GLITMAN. Yes.

Senator WARNER. Does our understanding of——

Ambassador GLITMAN. There are no sensors on the perimeter there. We can go around the perimeter on foot as often as we want to.

Senator WARNER. Does our understanding of "generally recognized principles of international law" differ from that of the Soviets?

Ambassador GLITMAN. Insofar as it is concerned in that phrase, I do not think it does.

Senator WARNER. Is interference with national technical means permitted for normal training maintenance operations?

Ambassador GLITMAN. We would not consider that interference. But as we are going to maintain our forces in the field, in a state of readiness as they must be, they will have to be able to camouflage themselves in the normal way that they do during training.

So that will be permitted. We would not consider that interference though.

Senator WARNER. What is concealment?

Ambassador GLITMAN. Again, you need a technical military definition for that. Let us see if I can get it straight. I only got to be a Sp 5.

General PARTLOW. Sir, basically, I think it applies in this treaty as well, concealment is something you do to hide yourself. But if someone shoots a bullet at you, it will go right through the concealment and hit you, if he happens to see you there.

Cover, on the other hand, may also hide you but it protects you as well.

Senator WARNER. And that is how it differs from cover?

General PARTLOW. Yes, sir.

Senator WARNER. What, other than environmental shelters, is included in the term "cover or concealment practices?"

General PARTLOW. Well, in a field setting, of course, you would have camouflage netting, you would have the ability to dig in and bunker. We would have other sorts of devices that you could use to both cover and conceal yourself.

Senator WARNER. Those are just the points I have. I would make the observation, Mr. Ambassador, that I think you have handled yourself very well today.

It has been a tough long day. And as I understand, the chairman just informed me that this will be our last article, and we will start off with article XIV tomorrow. You are aware of that.

Ambassador GLITMAN. Very good.

Senator WARNER. Senator Quayle, did you want to continue with a few things?

Senator QUAYLE. Let me make sure I understand this last point on article XI, paragraph 5. Facilities that are listed in the memorandum of understanding, but not listed in the data exchange of article 9.3, are they subject to inspection under this paragraph?

Ambassador **Glitman**. Any facility that is listed in the MOU is subject to inspection. Let me check 9.3.

It is a baseline inspection.

Senator **Quayle**. So we have baseline inspection rights to everything?

Ambassador **Glitman**. Everything that is in the MOU.

Senator **Quayle**. Even if it is eliminated in the data exchange?

Ambassador **Glitman**. Yes, absolutely.

Senator **Quayle**. On article XII, does our understanding of generally recognized principles of international differ from that of the Soviets?

Ambassador **Glitman**. I think that is a question we had just a moment ago.

Senator **Quayle**. Senator Nunn asked that question?

Ambassador **Glitman**. Senator Warner asked that question.

Senator **Quayle**. And the answer was?

Ambassador **Glitman**. Insofar as this article is concerned, no.

Senator **Quayle**. I think that about does it for me.

Anything you would do differently if you had to do it over, off the record?

Ambassador **Glitman**. I do not think so.

Chairman **Nunn**. Thank you, Mr. Ambassador.

I have been in and out of meetings this afternoon, and appreciate your being here.

We will start with article XIV tomorrow morning at 9 o'clock. We will have a lot of questions in that one, and we will go for at least 3 hours in the morning, to somewhere around 12 o'clock, but no later than 12:30, give you an hour or so for lunch, and get back and spend the rest of the day working our way through all these questions tomorrow.

Ambassador **Glitman**. Very well. Thank you, sir.

Senator **Quayle**. Could I inquire approximately when we might have that closed session on some of these issues?

Is it your desire to have that tomorrow or the next day?

Chairman **Nunn**. Let's talk about it tomorrow, Senator Quayle. We will discuss it as we go along sometime tomorrow, and see where we stand on it.

I would like for staff to keep up with the number of questions we have for a closed session. We have a negotiating record to review, and I am sure we are going to have the Ambassador here again. The question is whether we have a closed session prior to going through the open session on negotiating or whether we wait and do it all in one sitting. Thank you.

[Questions for the hearing record with answers supplied follow:]

U.S. Department of State,
Washington, DC, March 14, 1988.

Hon. Sam Nunn,
Chairman, Committee on Armed Services,
U.S. Senate.

Dear Mr. Chairman: Following the February 22 hearing on the INF Treaty at which Ambassador Glitman appeared, additional questions were submitted to be answered for the record.

Please find enclosed the answers to those questions.

Sincerely,

J. Edward Fox,
Assistant Secretary, Legislative Affairs.

Enclosures: As stated.

Questions on the Meaning of the INF Treaty

ARTICLE II

Paragraph 1

Question 3. Does the definition of a "ballistic missile" as "a missile that has a ballistic trajectory over most of its flight path" apply to hypersonic boost glide vehicles?

Answer. The treaty establishes four criteria for inclusion of a system: range, weapons delivery, ground launched, and ballistic or cruise. If a system meets these criteria, with the one specific exception spelled out in the Treaty (requested by the United States)—Article VII, paragraph 3—it will be covered by the treaty.

Question 4. If so, does the treaty require that the parties "not have" and/or ban the flight testing, production, or deployment of a nuclear and/or conventional weapon-delivery hypersonic boost glide vehicle of the INF range?

Answer. See answer to question 3.

Paragraph 2

Question 7. Does this definition apply to a hypersonic boost glide vehicle?

Answer. See answer to question 3.

Question 8. If so, does the treaty require that the parties "not have" and/or ban the flight testing, production, or deployment of a nuclear and/or conventional weapon-delivery hypersonic boost glide vehicle of INF range?

Answer. See answer to question 3.

Question 9. Is a ground-launched cruise missile (GLCM) of INF range which is outwardly similar to a GLCM type that has been flight tested or deployed as a weapon-delivery vehicle but which either Party claims is configured for missions other than weapon-delivery (e.g., photo reconnaissance, electronics monitoring or electronics jamming) covered under this paragraph? If not, are the parties permitted to "have" such a vehicle which can be readily reconfigured as a weapon delivery vehicle?

Answer. Yes, it is covered if even one such missile has been tested or deployed for weapon delivery or cannot be distinguished from a missile which has been tested or deployed for weapons delivery. If it can be distinguished and has never been tested or deployed for weapons delivery, it would be permitted. A missile not tested for weapons delivery, however, would be unreliable as a covert weapons delivery vehicle.

Paragraph 3

Question 11. If a fixed launcher or a mobile transporter-erector-launcher (TEL) has been used to launch an ICBM (i.e., a GLBM with range greater than 5500 km.), but not to launch an GLBM of INF range, is that launcher permitted under the treaty even if it is outwardly similar to a launcher or TEL for GLBMs of INF range that is covered under the treaty? Is it permitted if it is identical to a launcher or TEL that is covered under the treaty?

Answer. If a launcher cannot be distinguished from a treaty-banned launcher, it will be considered subject to treaty limits.

Paragraph 4

Question 12. If a fixed launcher or a mobile land-based TEL has been used to flight test sea-launched or air-launched cruise missiles of INF range but has never been used to flight test GLCMs of INF range, is that launcher or TEL a "GLCM launcher" or is it otherwise covered by the treaty?

Answer. A fixed land-based launcher which is used solely for flight testing non-treaty limited cruise missiles and which is distinguishable from INF launchers is not a GLCM launcher. Mobile launchers may not be used for flight testing cruise missiles of INF range even if their normal basing mode is air or sea launched. See article VII, paragraph 11.

Question 13. If a fixed launcher or a mobile land-based TEL is used to flight test GLCMs of less than or greater than INF range, is that launcher or TEL covered by the treaty?

Answer. No, if it can be distinguished from a launcher which has been used to flight test GLCMs of INF range and subsequently is never used for such tests.

Question 14. If so, is this the case even if the launcher or TEL is outwardly similar to a GLCM launcher? If it is identical?

Answer. If a launcher cannot be distinguished from a treaty banned launcher, it will be considered subject to the treaty.

Question 31. Is it possible to distinguish between a ballistic missile or a cruise missile which is "not a missile to be used in a ground based mode" and one that is to be used in a ground based mode? How is that distinction made?

Answer. Yes, by its deployment characteristics and launch mode. If it is determined that a missile is developed and tested for use on sea-based platforms or aircraft, and not in a ground-launched mode on a land-based launcher, it is not covered by this treaty.

Paragraph 12

Question 32. What is the definition of the term "booster systems"? Is there any limit on the number of such "booster systems" permitted under this paragraph?

Answer. They are missiles which use existing types of rocket boosters (booster stages) to launch objects for research and development purposes, i.e., to test objects other than themselves.

No, but there are limits on the number and nature of launchers of such systems, a requirement to notify such launches before they occur and to provide the location of the launchers and the launches.

Question 33. What are the "existing types of booster stages" covered by this paragraph? Are any of these "existing types of booster stages" also used as stages on the SS-20?

Answer. They are those types of booster stages that the sides had upon entry into force of the treaty. These can be monitored by NTM. Any further discussion of this subject would have to be in a classified format.

No.

ARTICLE VIII

Paragraph 5

Question 34. If the Soviets have continued after November 1, 1987 to maintain SS-20's or SS-4's or support equipment at any missile support facility previously associated with these missiles but not listed in the MOU, would they be in violation of this provision?

Answer. Prior to entry into force of the treaty, the locational restrictions provided for in the treaty are not binding on the Parties. After entry into force, any missiles and launchers not located in areas or facilities listed in the MOU or in notified transit will constitute a violation. Deployment areas, bases and facilities are defined in the Memorandum of Understanding as places where treaty-limited missiles and launchers are located or where certain specified activities related to INF systems occur. The treaty states that the Parties have declared in the Memorandum of Understanding all such facilities. The Soviet supplied data is generally within range of our estimates. We will continue to monitor Soviet actions carefully. There will be an exchange of updated data within 30 days of the Entry Into Force Date at which time we will be able to check the accuracy of Soviet supplied data.

Paragraph 8

Question 35. May a missile "be carried on or contained within a launcher" outside of the repair facility if it is in transit to a repair or elimination facility?

Answer. No. A missile in notified transit is by definition non-deployed and the only exception to the general prohibition that non-deployed missiles cannot be carried on or contained within their launchers is for required maintenance conducted *at* repair facilities or for elimination by means of launching *at* elimination facilities as defined in the MOU.

ARTICLE X

Paragraph 9

Question 40. When is a Party considered to have "initiated" a conversion under the terms of this provision?

Answer. A Party can be considered to have "initiated" a conversion of a missile operating base when GLBM or GLCM systems not subject to this treaty are first located there or when activity connected with the deployment of such systems begins there. Thus the Parties are obliged to provide the notification called for in article X, paragraph 9, 30 days prior to locating GLBM and GLCM systems not subject to this treaty at a missile operating base listed in the Memorandum of Understanding or prior to beginning activity connected with the deployment of such systems at that base.

Question 41. May a Party wholly avoid the elimination provisions relating to missile operating bases simply by giving the requisite notice under this paragraph of intent to convert a base listed in the MOU to a base for use with systems not subject to the treaty (e.g., SS–20 operating base to be converted to SS–25 base)? If not, why is this paragraph not explicit that a missile operating base must be eliminated pursuant to paragraph 8 prior to conversion?

Answer. No. All deployment areas, missile operating bases and missile support facilities listed in the Memorandum of Understanding must be eliminated in accordance with the provisions of article X, paragraph 8. All of these locations, except for missile production facilities and deployment areas, are subject to closeout inspections under article XI. The notification provided for in article X, paragraph 8 of the intention to convert a base for use by a GLBM or GLCM system not subject to the treaty is unrelated to the process of eliminating sites listed in the MOU. There is no restriction on when a missile operating base may be converted for use by GLBM or GLCM systems not subject to the treaty and thus elimination of such a base as an IRM or SRM facility is not a precondition.

ARTICLE XI

Paragraph 4

Question 44. Within the first 90 days after the treaty enters into force, is a Party required to "declare" whether it is inspecting under paragraph 3 or paragraph 4?

Answer. No. Paragraph 3 of article XI concerns baseline inspections. Paragraph 4 concerns closeout inspections. For a site eliminated prior to entry into force, it will only be subject to baseline inspection and if eliminated shortly after entry into force, the baseline and closeout inspection may be combined. The purpose of either inspection will be the same, i.e., to confirm that the conditions stipulated in article X, paragraph 8 have been met.

Question 45. Could a Party declare after the scheduled elimination date (if it is within the 30 to 90 day window) that it is conducting an inspection under paragraph 4, and then later inspect again under paragraph 3?

Answer. Yes, however, the purpose of both inspections would be the same, that is to confirm that the conditions in article X, paragraph 8 have been met so it is unlikely that there would be any reason to do so. Such a facility would, of course, be subject to short-notice inspection for 13 years after the treaty enters into force.

Question 46. What will occur if a facility is not eliminated by the scheduled inspection date?

Answer. If the Soviets notify us that a given facility is scheduled for elimination by a certain date, they know that our inspectors have the right to inspect that facility within sixty days after the date of scheduled elimination. If they are unable to meet this schedule, they should notify us that the facility will not be eliminated by that date. We will not consider the facility eliminated until we are satisfied that it meets all the conditions in article X, paragraph 8, i.e., all treaty-limited items must be removed or eliminated and all activities related to treaty-limited systems must cease.

Question 47. Is it clear that the closeout inspection can be rescheduled? If a "closeout" inspection reveals that the facility has in fact not been closed, will additional inspections be allowed using a new elimination date, even though this provision only allows one closeout inspection based on the *scheduled* date?

Answer. If on inspection, a site does not meet the conditions set forth in article X, paragraph 8, then we will not consider that it has been eliminated. Since all sites listed in the MOU must be eliminated, then a subsequent notification must be provided for its elimination, and receipt of such a notification will permit a subsequent inspection to confirm that the site now meets the conditions set out in article X, paragraph 8.

Paragraph 6

Question 49. Does the term "able" mean that the inspected party shall do nothing to prevent the other from establishing the monitoring system at the facility, or does it mean that the inspected party will be responsible for technically aiding the inspecting party to establish the monitoring system?

Answer. Both the treaty and the Inspection Protocol make clear that the inspected Party has the obligation to assist the inspecting Party in establishing its monitoring system provided for in article XI, paragraph 6. Section IX. paragraph 5 of the Inspection Protocol sets out in some detail the nature of that assistance. Technical discussions began on March 9 with the Soviets on the modalities for implementing that section.

Question 52. If the Soviets terminate production at a facility for 12 months, will our inspectors be sent home.

Answer. If after 2 years after the treaty enters into force, the Soviets terminate for 12 months final assembly of GLBMs which use a stage outwardly similar to but not interchangeable with a stage of treaty-limited missile at a facility, then the U.S. right to continuous monitoring at that facility ends. Thus the United States has the right to continuous monitoring for at least 3 years after the treaty enters into force, that is for the entire elimination period. The Soviet right to monitor the U.S. facility under this provision would end at the same time as U.S. monitoring in the Soviet Union ended. And if final assembly of a GLBM which uses a stage outwardly similar to but not interchangeable with a treaty-limited stage, is transferred to another location or reinitiated, we would have the right to establish portal monitoring at the facility where final assembly takes place.

Question 53. If such a termination comes about, how would we verify that production had not been re-initiated?

Answer. Reinitiation of final assembly is allowed only for non-treaty limited items. We would use National Technical Means to help identify any reinitiation of the final assembly of missiles using a stage that is outwardly similar to but not interchangeable with a stage of the SS-20. If final assembly is reinitiated, we would have the right to reestablish portal monitoring at the facility where final assembly takes place to help ensure that no treaty limited items are exiting that facility. It is important to note that the Soviets are obligated by the terms of this provision to ensure that we can establish a permanent continuous monitoring system at any such final assembly facility within six months of initiation of the process of final assembly; otherwise, the Soviets would be in violation of treaty. As well as using National Technical Means, naturally we will use all available intelligence collection methods to direct illegal production.

ARTICLE XII

Paragraph 2

Question 56. How is the term "normal" defined? Do "normal" operations include any activity which might otherwise be prohibited by the treaty? If so, what are they?

Answer. "Normal" refers to those concealment and cover practices which both sides currently routinely carry out in the course of training and operations to protect operational missiles and launchers. Concealment applies to those measures designed to protect missiles and launchers operating in the field from detection. Cover measures are those designed to protect a missile or launcher from the environment or enemy attack. This provision was designed to meet U.S. operational needs for environmental shelters and camouflage to maintain the operational capability of its missile force. These activities are limited to deployment areas and are prohibited at other INF locations.

Question 57. Does the exemption for "normal"; training, maintenance, and operations legitimize Soviet camouflage, concealment and deception?

Answer. This exemption was included to meet U.S. operational requirements. Because the treaty provisions are reciprocal this would also permit the Soviets to continue with their current routine practices in deployment areas. Attempts at deception, including these exempted activities, outside of deployment areas would be prohibited.

Question 58. How is this provision different from the SALT I and II prohibitions against "deliberate" interference with National Technical Means of verifications?

Answer. SALT I and II contained provisions prohibiting "deliberate concealment measures"; "deliberate" was never related to the prohibition against interference. The deletion of "deliberate" at U.S. insistence, is a step forward because we eliminate the need to make a subjective judgment about the purpose of concealment while preserving, as did SALT I and II, the right to carry out cover and concealment activities required for U.S. operations and training.

Question 59. Does this provision ban *any* interference with intelligence satellites, or other intelligence gathering means, of the other Party *at any time*?

Answer. This provision prohibits any interference with National Technical Means (NTM) of verification in accordance with generally recognized principles of international law.

Question 60. Even if all sides agree that the provision only applies when the NTM are operating for the purpose of verifying compliance, how does one determine when a system is operating under the provisions of this treaty as opposed to conducting another mission?

Answer. Article XII reflects agreement that if NTM are operating in accordance with generally recognized principles of international law, any interference with them is prohibited.

Question 61. If ground based lasers are used to damage or destroy satellite sensors, does this constitute a violation of the Treaty, since they are interfering with National Technical Means of verification?

Answer. Yes.

Paragraph 3

Question 62. What is to be displayed for satellite inspection, the missiles or the canisters? If only canisters are to be displayed, how does one know that the canisters contain an SS-25 and not an SS-20? Can we tell the difference if only the canisters are displayed?

Answer. The canister on their launchers will be displayed. At operational bases, Soviet SS-20s and SS-25s are stored in canisters on their launchers. Since SS-25 canisters and launchers have observable different dimensions from those for SS-20s, NTM will be able to distinguish them. While an SS-20 missile could be placed into an SS-25 canister, we do not believe the Soviets would have a strong incentive to do so. First, we believe that an SS-20 could not be launched from an SS-25 canister either without extensive modifications to the canister or without testing. Second, there is a risk of detection. Third, they would be giving up a longer-range strategic missile for a shorter-range one without the political intimidation benefit of a visibly deployed INF system. All of these factors would create significant costs for the Soviets if they sought to exercise this cheating scenario.

Question 63. How is the term "at any one time" interpreted? Does it mean that only one deployment base will be subject to inspection at any instant of time, or could it mean that not two deployment bases will be subject to inspection for the *identical* 6-hour period? Could two inspections be conducted, for example, with the second one beginning 5 minutes after the beginning of the first, so that for 5 hours and 55 minutes two sites can be simultaneously inspected?

Answer. That only one deployment base shall be subject to the cooperative measures called for in article XII, paragraph 3 "at any one time" means that neither Party can make two requests for such inspections in the same timeframe. Thus, during the total 12-hour period from the request to the end of the time the missiles on launchers have to be outside their garages, no other deployment base can be subject to these cooperative measures. The timeframe for the two requests cannot overlap.

ARTICLE XIV

Question 91. During a February 3 appearance before the Armed Services Committee, Admiral Trost testified with respect to article XIV that "we do feel bound not to introduce forces which are covered by this treaty." Does the phrase "not to introduce forces" refer in any way to provision of information or equipment to our allies?

Answer. No, he was referring to introduction of U.S. forces.

ARTICLE XV

Question 95. Are there exemptions under international law to the notice and wait provisions of article XV which would permit a Party to withdraw from or terminate its obligations under the INF Treaty before the 6-month period elapses (e.g., as expressed in article 62 of the Vienna Convention on the Law of Treaties, setting forth conditions under which a fundamental change in circumstances may be invoked as a ground for withdrawal or termination)?

Answer. The right to withdraw contained in article XV of the INF Treaty is very broad. While the United States has not become a Party to the Vienna Convention on the Law of Treaties, it does recognize that much of the content of that Convention is only a codification of customary international law. Article XV neither overrides, nor subtracts from, rights the United States has under customary international law as a sovereign state. Withdrawal from the treaty in less than 6 months would be permissible under international law if there were a material breach of the treaty provisions.

MEMORANDUM OF UNDERSTANDING

Question 105. How is a "fixed" structure for a launcher defined? Does this eliminate certain structures from inspection because the Soviets might consider a structure that can be disassembled and moved (e.g., modular construction) not a "fixed" structure? What if some of the structures have openable roofs? Are they subject to inspection?

Answer. The term "fixed structure for a launcher" refers to what the United States has internally called a "sliding-roof, single-bay garage". Discussions with the Soviets in Geneva made clear that the sides share a common understanding on this term. The photograph of the structure, which the Soviets gave to us as part of the MOU, shows the structure which the United States had in mind. This and the number of such structures which the Soviets gave us demonstrate conclusively that the Soviets perceive that buildings such as these are indeed subject to the provisions of the treaty. All such structures are subject to inspection and must be eliminated.

PROTOCOL ON ELIMINATION

SECTION II

Question 107. Does this paragraph mean that (1) each Party shall select the particular technological means necessary *both* to implement elimination procedures *and* to allow for on-site inspection *or* (2) does it mean that each Party shall select the particular technological means necessary to implement elimination procedures and *will* allow for on-site inspection in accordance with the provisions of the treaty? If the former meaning is correct, what are the limits on each party's right to "select the particular technological means necessary . . . to allow for on-site inspection" so that such means cannot be used to create obstacles to the conduct of inspections?

Answer. The first meaning is correct; the Parties are free to select the technological means they prefer to accomplish effectively the required procedures (e.g., cutting and crushing metal objects), but the selected technology must be compatible with OSI (e.g., cannot pose serious safety hazards to the inspector nearby).

SECTION III

Paragraph 2

Question 118. Does the prohibition on the use of elimination launches as targets for ballistic missile interceptors also prohibit the use of elimination launches for the purposes of tracking the missile with ABM or air defense radar or any other types of sensors? Does this paragraph prohibit elimination launches from being used for troop training purposes?

Answer. No limitations are placed on radar tracking.

The treaty does not directly restrict troop training. It does eliminate training items and the very missile systems for which the training would otherwise be conducted. It is our judgment, given that launch to destroy (LTD) is limited to 100 missiles in the first 6 months and the fact that the Soviets have had over 10 years to train and can continue to do so right up to elimination, that these 6 months of LTD would not contribute significantly to the reliability of a covert force.

Paragraph 4

Question 119. What is "range safety" data that is permitted to be transmitted during elimination launches? Could reliability or flight test information be transmitted in the guise of "range safety" data?

Answer. Range safety data are the signals required to establish whether a missile is malfunctioning and needs to be destroyed. This was done at U.S. insistence. Test data could not be disguised as unencrypted safety data.

SECTION IV

Paragraph 3

Question 120. Who or what determines whether training missiles, training missile stages, training launch canisters and training launchers are eliminated at elimination facilities or *in situ*?

Answer. At U.S. insistence, each side decides for itself. (The United States wanted the right to retain training assets in place until late in the process and saw no need to undertake the expense of transporting non-lethal items to elimination facilities). The Parties have the right to inspect results of the elimination of training assets.

SECTION V

Paragraph 2

Question 121. What, if anything, is required for the elimination of missiles, launch canisters and launchers by placing them on "static display", beyond the removal of missile propellant and the rendering inoperative of erector-launcher mechanisms?

Answer. Static display is limited to 15 missiles, 15 launch canisters and 15 launchers. A party must notify where items may be inspected once elimination procedures are complete.

PROTOCOL ON INSPECTIONS

Paragraph 3

Question 122. If one Party informs the other that it does not agree to a proposed inspector or aircrew member who will carry out "closeout", "baseline", "elimination", and "spot" inspections associated with Article XI(3), (4), (5), (7) and (8), must those individuals against whom objections are raised be deleted from the list? What steps are to be taken in the event of such a disagreement?

Answer. Nothing in paragraph 3 of section III permits a Party to object to inspectors designated for baseline, closeout, elimination or quota inspections. Thus, anyone proposed for such inspections is automatically included on the initial list of inspectors. However, paragraph 7 of section III permits a Party to remove an individual from the list of inspectors if he has "violated the conditions governing inspection activities set forth in this Protocol, or has ever committed a criminal offense on the territory of the inspected Party or a basing country, or has ever been sentenced for committing a criminal offense or expelled by the inspected Party or a basing country." If one Party asks the other to delete an individual from the list of inspectors for one of these reasons, that Party is obligated to do so. If there is a dispute about the validity of the reason for removing an inspector from the list, that dispute can be raised as a compliance question through diplomatic channels or in the framework of the Special Verification Commission (SVC).

SECTION V

Paragraph 4

Question 123. Since virtually any kind of inspection equipment can perform functions "unconnected" with the treaty, does this prohibit equipment that cannot perform *any* functions connected with the treaty? How will "multiple use" items, such as tape recorders, be handled under this provision?

Answer. Paragraph 9 of section VI requires the Parties to agree upon "characteristics and method of use" of inspection equipment within thirty days after entry into force of the treaty. Thus, a list of permitted inspection equipment will be agreed upon in advance. Examinations at the point of entry will be designed to determine whether equipment being brought into the country meets the specifications on that list. Equipment that meets these specifications will be allowed into the country, unless it also contains "add-ons" not agreed by the Parties that could perform functions "unconnected with the Inspection requirements of the treaty."

SECTION VI

Paragraph 7

Question 125. Does this preclude the use of other means of communication such as satellite communications provided by the inspecting party?

Answer. This paragraph, by itself, does not preclude the use of other means of communication. However, the inspecting Party has the right to bring into the country only equipment that is agreed upon by the Parties.

SECTION VII

Paragraph 8

Question 126. Can we weigh or x-ray canisters at sites other than Votkinsk as a supplement to the external inspection? What are radiation detection devices as identified in the treaty?

Answer. The United States is not permitted to x-ray canisters at sites other than Votkinsk. However, we are permitted to weigh any container exiting Votkinsk that is large enough to contain a Soviet INF missile or missile stage and that is declared not to contain a missile or missile stage, unless the Soviets prove to our satisfaction by some other means that the container does not contain a missile or missile stage.

Radiation detection devices will be used to inspect launch canisters "associated with a type of missile not subject to the treaty" that the Soviets declare to contain a non-INF missile. This provision was designed to deal with SS-25s deployed at former SS-20 bases. The radiation detection devices would enable us to determine whether the missile inside the canister has one or three warheads.

Paragraph 10

Question 127. What happens if the inspection party is not satisfied that the enclosed space does not contain any missile, stage of a missile or launcher?

Answer. The burden of proof is on the Inspected Party. If the inspector is not satisfied by whatever demonstration is made, he can request further proof. If the escort believes that the proof he has already provided is sufficient, he can refuse to provide further proof. In that event, the matter could become a compliance issue, to be handled either through diplomatic channels or within the framework of the Special Verification Commission.

Question 128. Does the prohibition on further inspections apply only to the inspection then underway, or would it apply to subsequent inspections of the same facility?

Answer. See answer to 129.

Question 129. In the latter case, could the enclosed space be inspected if a party has evidence that the dimension of the space have changed so that it could now contain a treaty-limited item? Can U.S. inspectors be denied access to the interior of SS-20 and SS-25 garages to conduct inspections therein?

Answer. The prohibition on further inspections applies only to the inspection then underway. Legally, the Soviets cannot prevent U.S. inspectors from *looking inside* SS-20 and SS-25 garages. If inspectors can determine by viewing a garage from its entrance that there are no missiles, missile stages or launchers present, the Soviets could prohibit them from *going inside.*

SECTION VIII

Paragraph 2

Question 130. What inspection rules govern inspections of the elimination of training missiles and launchers? Under the Protocol on Elimination, section IV, paragraph (3)c, does each Party have the right to observe, using on-site inspection, the actual elimination of training items, or merely to use on-site inspection to confirm the "completion" of these elimination procedures?

Answer. Inspections of the elimination of training missiles and launchers are carried out pursuant to paragraph 8 of article XI of the treaty and sections II, IV and V of the Protocol on Elimination as well as the Protocol on Inspection. Each Party has the right to confirm that elimination has taken place by on site inspection, even if, in this case, the actual process has not been observed.

SECTION IX

Paragraph 1

Question 131. What constitutes an "agreed perimeter"?

Answer. The perimeter is agreed in two respects. First, the geographic boundaries of the site are established in the site diagram attached to the Memorandum of Understanding. Those boundaries cannot be altered. Second, the Parties will agree upon the physical characteristics of the fence or wall that defines the site boundary.

Question 132. What are "appropriate" sensors? Are any sensors "inappropriate"?

Answer. Paragraph 12 of section IX gives the United States the right to weigh and measure the dimensions of any vehicle exiting Votkinsk to ascertain whether it is large enough and heavy enough to contain an SS-20. Sensors placed at site exits which can perform this function will be considered "appropriate".

Question 133. What does "responsibility of the inspected Party to demonstrate" mean? Does it mean to demonstrate the inspectors' satisfaction?

Yes. It means demonstrate to the inspectors' satisfaction.

Paragraph 14

Question 134. In conducting the inspection under subparagraph (c), does the eight times per calendar year apply to individual missiles, or individual stages, or individual launch canisters, or individual shipping containers, or to all of these components combined? Why eight? Can the "non-damaging image producing equipment" authorized in paragraph 6 be used to measure under this paragraph? What is "non-damaging image producing equipment"? Is it different than radiation detection devices?

Answer. The eight times per calendar year applies to Soviet launch canisters and U.S. shipping containers. This reflects the transport practices of the two sides. The Soviets initially proposed inspecting every thirtieth canister. The United States rejected this proposal. We eventually agreed upon a random inspection of eight canisters per year because U.S. experts judged that this would give us high confidence that the Soviets are not shipping SS–20s out of Votkinsk.

The "non-damaging image producing equipment" referred to in paragraph 6 is essentially a large, fixed imaging machine that will be used, pursuant to paragraph 14(c) of section IX, to "image the contents of any launch canister" exiting the portal at Votkinsk that is declared to contain a missile as large or larger than and as heavy or heavier than an SS–20. This equipment is different from the portable radiation detection devices that will be used at missile operating bases. The Protocol permits this imaging device to be used on every SS–25 canister exiting Votkinsk, whereas the "equipment for measuring the length and diameter of missile stages" may be used on only eight canisters per year.

SECTION X

Question 135. Inspections may be canceled if, due to circumstances brought about by *force majeure,* they cannot be carried out. What is the definition of "force majeure" in U.S. domestic law? in international law? in Soviet law? Is there agreement between the two Parties as to the meaning of the term force majeure?

Answer. The meaning of the term "force majeure" in international law refers to a superior or irresistible force outside control of either party, which therefore could not be avoided by the exercise of due care—a condition that would exist, if, for example, a flood or earthquake blocked access to an inspection site, preventing a scheduled inspection. In contrast, were it to appear that the Soviets were willfully delaying or obstructing our inspection access, we would pursue such a matter vigorously in the Special Verification Commission and any other appropriate channels.

FOLLOW-ON QUESTION ON INSPECTION OF LAUNCH CANISTERS PRIOR TO ELIMINATION

Ambassador Glitman, you were asked the following question on paragraph 6 of section II of the Protocol on Elimination:

Question 108. Does the right to visual inspection of the contents of launch canisters include the right to have the contents removed for inspection?

In your response, you indicated that for purposes of elimination by explosive demolition, we will probably insist on measuring the contents of the canister. No permission to measure the contents of launch canisters is provided either in section II, paragraph 6 or in section III, which provides for elimination by launching. Both these sections allow "visual inspection" or "observation" of the launch canister. Is the right to *measure* the contents of the launch canister, to verify its contents, assured by the treaty?

Answer. No, but paragraph 6 of section II of the Elimination Protocol obliges an inspector to confirm the type and number of missile system items to be eliminated. That paragraph also states that, if deemed necessary by the inspecting party, this confirmation shall include a visual inspection of the contents of launch canisters. When missile stages are burned separately, burning will take place outside any launch canister and confirmation of type of missile stage will not be difficult. As you know, the Inspection Protocol provides that, at Votkinsk, we will have the right to "view" eight missiles in canisters per year and that those "interior viewings" include measuring in accordance with methods agreed by the Parties, of stages without their removal from the launch canisters. Such measurements will probably not be necessary at elimination facilities to confirm the type of missile to be eliminated. However, if looking into the open end of a launch canister, for example, were not sufficient to confirm the type of missile inside that canister, we would certainly pursue with the Soviets the additional method of "visual observation" that would be necessary to ensure we had achieved the "visual inspection of the contents of the launch canister" needed to "confirm and record the type and number of items of missile systems . . . which are to be eliminated" as provided for in paragraph 6 of section II of the Protocol on Elimination.

[Whereupon, at 5:45 p.m., the committee recessed, to reconvene at 9 a.m., Tuesday, February 23, 1988.]

NATO DEFENSE AND THE INF TREATY

TUESDAY, FEBRUARY 23, 1988

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

INF TREATY

The committee met, pursuant to notice, at 9:06 a.m., in room SR-222, Russell Senate Office Building, Senator Sam Nunn (chairman) presiding.

Present: Senators Nunn, Exon, Levin, Dixon, Glenn, Wirth, Shelby, Warner, Thurmond, Quayle, and Wilson.

Staff present: Arnold L. Punaro, staff director; Carl M. Smith, staff director for the minority; Jeffrey H. Smith, general counsel; Patrick A. Tucker, minority counsel; and Andrew S. Effron, counsel; Robert G. Bell, Robert F. Bott, Sherri Wasserman Goodman, William E. Hoehn, Jr., Ronald P. Kelly, and David S. Lyles; professional staff members; Colleen M. Getz, research assistant; Mary J. Kampo and Debra A. Rice, staff assistants.

Also present: Jeffrey B. Subko, assistant to Senator Exon; Charles C. Smith, assistant to Senator Dixon; Donald A. Mitchell, assistant to Senator Glenn; Terrence Lynch, assistant to Senator Shelby; William J. Wight, assistant to Senator Warner; Robert P. Savitt, assistant to Senator Cohen; James M. Bodner, assistant to Senator Cohen; Henry D. Sokolski, assistant to Senator Quayle; Mark J. Albrecht, assistant to Senator Wilson; and Alan Ptak, assistant to Senator Gramm.

OPENING STATEMENT BY SENATOR SAM NUNN, CHAIRMAN

Chairman NUNN. Mr. Ambassador, we welcome you back again today. At yesterday's hearing we made good progress, getting through about half the questions on our list and bringing us up to article XIV, which, as you know, has become a provision of particular concern in these hearings.

The reason Senators have paid so much attention to this article, I think, is that top Soviet officials continue to make statements suggesting that they may think article XIV prohibits NATO nuclear modernization of systems not directly covered under the treaty. For example, Soviet Foreign Minister Shevardnadze said in Bonn last month that "so-called compensatory modernization" would "destroy that which had been achieved "and" cannot be allowed." Just last week, General Secretary Gorbachev said in a speech to the Central Committee that the NATO allies "are planning a modernization and a build-up of 'other' types of nuclear weapons, especially at sea and in the air, cynically claiming that the latter are not covered by the treaty."

Mr. Ambassador, I think that tells us why we are concerned about this article XIV, and of course, we welcome any opening comments you might want to make on it, and then we will go to questions.

STATEMENT OF HON. MAYNARD G. GLITMAN, CHIEF NEGOTIATOR, INTERMEDIATE-RANGE NUCLEAR FORCES [INF] TREATY—Resumed

Ambassador GLITMAN. Thank you very much, Mr. Chairman.

I think it would be very useful if I went through with the committee a bit of the background of this article and take you through as close as I can in open hearing step by step how we handled this article.

Article XIV, as you know, reads "The parties shall comply with this treaty and shall not assume any international obligations or undertakings which would conflict with its provisions."

I think if we review the negotiating background, you will find that it provides a comprehensive response to the meaning of article XIV and to the 28 numbered questions the committee has raised about it.

The Soviets sought, up until the final days of the negotiations, to insert into the treaty language which they hoped could serve as either a brake on United States-NATO cooperation or at least as a basis for public accusations that we were not in compliance with the treaty. We resisted that effort. Our success can be measured by comparing the position of the sides during the negotiations with the final result. I would like to do that now.

First, a look at the relevant articles in SALT II is in order since these form the basis of the Soviet position.

Article XII of SALT II states "In order to ensure the viability and effectiveness of this treaty, each party undertakes not to circumvent the provisions of this treaty through any other state or states or in any other manner," very broad in one sense and very precise in another, "state or states."

Article XIII of the SALT Treaty states "Each party undertakes not to assume any international obligations which would conflict with this treaty."

Now, there can be no doubt that in comparing article XIV of the INF Treaty with these two articles of the SALT II Treaty, the language of SALT II article XII is totally absent from article XIV of the INF Treaty. Thus, it cannot be argued that what was covered by article XII of SALT II, noncircumvention through any state or states or in any other manner, it cannot be argued that that is covered by article XIV of the INF Treaty, which is clearly more closely allied to article XIII of the SALT II Treaty.

Moreover, it equally follows that article XII and article XIII of the SALT II Treaty could not mean the same thing.

Finally, when the Soviets wrongly sought to argue that United States deployments of Pershing and GLCMs were in violation of the SALT II Treaty, it was article XII they cited, not article XIII.

The Soviet position in the INF talks went even beyond the broad language of article XII of SALT II. It provided that each party undertake not to circumvent the provisions of the treaty in any manner or through any state or states, and it went on to specify that this included a prohibition on the transfer of intermediate-range missiles, launchers, components of such missiles, or technical documentation related to such missiles or launchers. In a separate paragraph, the Soviets repeated the language of SALT II, article XIII.

Now, we strongly opposed the noncircumvention language as totally unacceptable because of its negative effects on United States cooperation with third countries, and we cited their misuse of article XII of the SALT agreement in this connection. As for the second paragraph, we noted it was a statement of international law and thus unnecessary.

The Soviets insisted upon the need for the noncircumvention language. As for paragraph 2, they said in effect that it was a restatement of and fully consistent with International law, but argued it would be useful to restate that law in the treaty proper.

We firmly resisted the Soviet approach, and in time, the Soviets dropped the specific prohibitions against transfer of missile and launcher components and related technical documentation. However, they continued to demand general noncircumvention language close to article XII of SALT II and language parallel with article XIII of SALT II.

We continued to oppose the noncircumvention language but suggested that if the Soviets dropped that language as well as language they were seeking in another article calling for follow-on negotiations which we believe they would have used to try to capture air breathing systems as well—sorry, airplanes as well as British and French forces, that if they would drop both of those, we could accept language which is essentially a restatement of the pacta sunt servanda principle of international law, language similar to article XIII of SALT II.

The Soviets made some further modifications in their approach, dropping the words "not to circumvent" but continuing to include language to the effect that the parties would not take any action through any state or states or otherwise which would conflict with the treaty. We objected to this language as too general and designed to provide a basis for seeking to interfere with our cooperation with our NATO allies, including in the area of modernization of forces. There was no doubt in our minds or that of the Soviets as to just what was at stake here.

In the end, the Soviets agreed to drop all reference to noncircumvention or to other states, and effectively to drop everything that was part of the original article XII of SALT II. And bear in mind, we were working against a precedent from SALT II to get rid of that. But they agreed to drop it.

They then sought to expand the language concerning the requirements that the parties comply with the treaty and not undertake obligations contrary to the provisions, to include "actions" or "activities". We objected that "actions" or "activities" was too vague and suggested "undertakings" in the sense of a formal act.

In the end, the Soviets accepted "undertakings" in English. Their last ditch effort to provide a Russian translation of that word akin to actions or activities was turned aside in one of the final moves of the negotiations. The Soviets accepted a Russian word for "undertakings" which has the sense of a formal commitment such as the Helsinki Final Act or an Act of Congress, and not an "action" or an "activity".

There can be no doubt that the Soviet effort to incorporate language in the INF Treaty which would have served as a brake on our cooperation with our NATO allies or other allies, or as a basis for public accusations of U.S. noncompliance failed. The language of article XIV and the negotiating record support the conclusion that this article, as finally agreed, does not in any way constitute a noncircumvention provision, nor impose any additional obligations on the parties, nor interfere with any existing programs of cooperation with our allies, nor interfere with any provision by the United States to its allies of any items not limited by the treaty.

What is left in article XIV is a restatement of international law. It says we must comply with the treaty and not assume any new obligations or undertakings that conflict with its provisions. This is well known language. Similar language appears not only in article XIII of SALT II, but also in article X of the ABM Treaty and article VIII of the North Atlantic Treaty.

Mr. Chairman, you mentioned a statement by Foreign Minister Shevardnadze and also by the General Secretary. On the 9th of February, Mr. Shevardnadze appeared before the Supreme Soviet in the Soviet version of this type of hearing, and after he made his statement he was asked a question, and I would be glad to read that question and his response. I think it is germane.

The question was from an unidentified speaker but obviously a member of the Supreme Soviet. It did not say who. And he said "Mr. Shevardnadze, in the capitals of the NATO countries, judging from reports in the media, an active debate is going on about the question of the build-up of nuclear weapons not covered by the medium and shorter-range missile treaty. Thus, the possibility is arising for the creation of additional nuclear potential by way of compensation for the dismantled cruise missiles, those which are to be dismantled, the cruise missiles and the Pershings." And then the question, "Does the treaty give us any guarantee against such outflanking maneuvers?"

And here is Mr. Shevardnadze's answer. "I shall try to answer that very briefly because in my introduction, and to some extent, Igor Kuzmich spoke about it, too. I tried in my report, so to say, to set out our position, but I understand your concern. There is indeed a lot being said just now about compensation, about creating modernization and so on, and this undoubtedly does give us serious cause for concern, and it gives our allies cause for concern, too.

"I said in my speech that it is now very important to maintain dynamism, not to permit significant pauses in problems of disarmament. If serious intervals were allowed, quite unexpected developments of events would be possible. Therefore, the treaty itself does not give such a guarantee, but it creates good conditions to achieve progress and achieve the reductions of weapons in other fields, too."

Well, that is the end of this. Mr. Chairman, I do not want us to get in the position of presenting Soviet hearings as documentation, so to speak, for our own hearings, but I do think given the comments you made and the citations that you made, that it is interesting to see that in that particular situation, that is how the Soviet Foreign Minister responded to that question.

Chairman NUNN. I think that is very interesting, and I appreciate you pointing it out.

I was going to ask you later on today, and I will ask you now, are we monitoring those hearings? Are we permitted, when they make their presentation and answer questions before the Supreme Soviet, to attend and to know what has been said, or to get a transcript?

Ambassador GLITMAN. I do not know that we are monitoring it. They are apparently in public; otherwise we would not have gotten these quotes. I have seen a fair amount of material, not a lot, not nearly as much as we will have out of our hearings, coming out of those hearings which has been available through that Foreign Broadcast Information Service.

Chairman NUNN. Have you seen anything that does conflict with our interpretation coming out of that?

Ambassador GLITMAN. I have seen only one statement—well, let me put it this way. An interpretation of a Soviet journalist commenting on a statement made by Minister Vorontsov, which would conflict. The statement by Minister Vorontsov itself does not conflict insofar as it does not claim that article XIV directly inhibits our action. It talks about, I think he used the phrase it would be blasphemous of the Americans and their allies if they undertook such programs, and I think there is a difference, therefore, between the spirit—I am sorry Senator Cohen is not here now—the spirit of the treaty the Soviets could charge—the Soviets are obviously charging that our activities would be contrary to the spirit.

Their sense of the spirit, again looking from the way Mr. Shevardnadze put it, has not so much to do with the specific treaty but with this concept of dynamism, of building towards a world without nuclear weapons, which is part of Mr. Gorbachev's program.

Senator DIXON. Mr. Chairman, if I might interrupt, I think your question is a very, very good one. Obviously, our records of this committee and the Foreign Relations Committee, all its public hearings, would be available to them.

I wonder whether we could ask the Ambassador or others in the administration to pursue a finite answer to your question as to whether their interpretations in their hearings over there are available to us.

Chairman NUNN. Well, I think that is correct. I would like to know that.

Actually, the way I read international law, there is an obligation on the part of a treaty participant to let it be known if there are public statements made by the other party that contradict the meaning of the treaty or the interpretation. In other words, silence on the part of one treaty partner in the light of public statements of interpretation can, to some extent, perhaps limited, be taken as acquiescene, and I think the Soviets, for instance, in our open hearings here which are not only open but in some cases broadcast and in other cases the transcripts are made available, I think if they hear something in this testimony that they believe is a fundamental difference between their interpretation of the treaty, I think international law puts some responsibility on them to come forward and say that. Otherwise I think there is some degree of what we call "latches" in the old common law that attach.

I know our open treaty process causes the executive branch considerable headaches in terms of preparation and in terms of testimony and all that, but I think there is some advantage to it because I think if there are statements here by Ambassador Glitman which the Soviet Union disagrees with, they have an obligation to come forward and say so, not necessarily in this forum, but to the executive branch.

So I think that we need to understand whether we are permitted access to the transcript of the proceedings that take place in the Supreme Soviet, if it is public, and then I would like to know whether we are monitoring them and whether we feel any obligation if they give statements that are contradictory to our interpretation, to let them know at that stage that we do not agree with that interpretation.

Ambassador GLITMAN. Well, I will be happy to look into the exact status of the monitoring or nonmonitoring of the activities in the Supreme Soviet.

I do think there is a question of whether, you know, we want to consider ourselves bound by Soviet internal ratification procedures, and they by ours because I think our obligations towards them are essentially defined by the treaty. But in any case, I will look into that.

Chairman NUNN. Well, I do not think we are bound by anything that is secretive, but if they were to come out in the Supreme Soviet and interpret article XIV totally different from the way you have interpreted it here today, I think we would be bound to let them know that we did not agree with it. If it comes to our attention, it seems to me it would be imprudent, whatever one's legal obligations are, it would be imprudent to go into a treaty on a fundamental point of this nature, knowing in advance that the other side interprets it differently.

So there is one question of law and another of prudence.

Senator WARNER. Mr. Chairman, if I might be recognized.

Chairman NUNN. Senator Warner.

Senator WARNER. If I understand, the witness has now made his opening statement with respect to article XIV. When the Chair concludes his observations, and I share the views of the Senator from Illinois on this point, might I suggest that we then take the witness through the questions that we have prepared so that we have the record as to his precise responses to the questions.

Chairman NUNN. That will be fine. I have been asking; not all of the questions, but the ones I thought were most pertinent, and leaving the others for the record, but we can ask as many as any Senator wants to ask.

It is up to the Senator from Virginia as to how many he would like to ask.

I would like to ask a couple, then I will turn to the Senator from Virginia, and then we will rotate.

Senator Exon.

Senator **Exon**. Could I ask a question here in this general area?

It seems to me that we are in an area here, Mr. Ambassador, that there are more questions about. What would your reaction be to a possible armed services recommendations to the Foreign Relations Committee, that we have some understanding or position of the United States Senate regarding the interpretation of article XIV. If the concerns expressed around this table today on this particular matter were spelled out in that form, on approval of the United States Senate of the treaty, would that in your opinion be a killer amendment, or would it just be a clear understanding of the way we view this which would then give the Soviets a chance to respond in some fashion?

Ambassador **Glitman**. Senator, what concerns me about that is having gone through the record with you and shown you step by step how we moved them away from their initial position, I would not like to see us begin to question the outcome. I am concerned that what we have got is no more than that restatement of international law which, as I have pointed out, you will find in other treaties, including even the North Atlantic Treaty, very similar language in there.

I am afraid that if we start to question what it is we got out of article XIV, we risk losing the result that we achieved because questions will then arise, well, did we really get the Soviets off of all these limitations? I believe very firmly that we did. The record substantiates that.

Senator **Exon**. In other words, you think the record speaks for itself, and any kind of further statement of that from the standpoint of the United States Senate would be a mistake.

Ambassador **Glitman**. I believe it would, Senator.

Senator **Exon**. Thank you.

Well, we can proceed with the questioning then, but I wanted to clarify that point if I could, Mr. Chairman.

Chairman **Nunn**. Thank you, Senator Exon.

In light of Secretary Gorbachev's comments about sea-launched and air-launched cruise missiles, do you feel the need to take any steps to make sure that there is no doubt that we are not limited in terms of what activities we can do with our European allies—and that modernization of sea-launched or air-launched missiles is in no way covered by this?

Do you feel there is any need to take other steps?

Ambassador **Glitman**. No, I do not, Senator, other than to take whatever actions we and our allies feel we need to take with regard to those systems. They are not covered by this treaty. There is a long history in the negotiation of our efforts, successful efforts, to keep aircraft and sea-launched cruise missiles out of this treaty. They are not in there, and there is no way that anyone can find them in there. They are not part of the provisions of the treaty, to use the language of article XIV, and therefore not covered.

Chairman **Nunn**. The news reports indicate Secretary Shultz may have had some conversation about compliance and so forth on INF with Foreign Minister Shevardnadze.

Do you know whether this subject came up, that is, the question of modernization of sea-launched, air-launched or even permitted ground-launched missiles?

Ambassador GLITMAN. I do not know. I checked this morning, and there was no report available other than what you saw in the newspaper.

Chairman NUNN. Let me ask you a couple of questions for the record to make it absolutely clear. I think you probably covered it already in your opening statement.

What specific obligations, undertakings or other activities did the Soviets seek to prohibit in their proposals for article XIV?

Ambassador GLITMAN. They sought to prohibit us from working through any other state or states or in any other manner, from circumventing the agreement, and in that phrase, they specifically referred to the transfer of components and technical documentation. That they did in writing, and orally they talked about blueprints.

Chairman NUNN. Are any of those matters prohibited under the treaty?

Ambassador GLITMAN. The record shows that that is what they sought, and that is not what the final version contains. They did not receive it.

Chairman NUNN. Does article XIV prevent either party from replacing eliminated systems with other systems, either current, modernized or futuristic, that are not otherwise prohibited by the treaty, for example, systems that are air-launched, sea-launched, ground-launched but tested outside the prohibited ranges?

Ambassador GLITMAN. No.

Chairman NUNN. What about article XIV, does it prohibit or prevent either party from using ground-launched systems designed for surveillance but not capable of carrying weapons?

Ambassador GLITMAN. No.

Chairman NUNN. The article-by-article analysis notes that this provision "reflects the duty of each party under customary international law to comply with the treaty."

In view of the well-established nature of this duty under international law, why was it necessary to add it to the treaty?

You have already touched on that, but I would like to get you on that specific question, if you would.

Ambassador GLITMAN. Well, here again, I think there was an effort on the Soviet part to include this restatement of international law in the treaty. We accepted that on the understanding that it was that and nothing more. And as I pointed out to you, similar language appears in other treaties, including the North Atlantic Treaty.

Chairman NUNN. The article-by-article analysis states that this provision will not "preclude cooperation with our allies in modernization." That is not in the treaty. That is in the article-by-article analysis.

Are any actions contemplated by the Montebello agreement prohibited under this treaty?

Ambassador GLITMAN. No, they are not.

Chairman NUNN. Now, the Pershing I's were covered in Montebello. Are you including that?

Ambassador GLITMAN. Well, I am sorry. To the extent that—the Pershing I's will not exist, but if we are talking about the other systems that were being looked at, Enhanced Lance or the air-launched system, modernization of the artillery, all that is not covered by this treaty.

Chairman NUNN. So Pershing I would be the only system that is in any way directly or indirectly affected under this treaty that was discussed at Montebello.

Ambassador GLITMAN. That is correct.

Chairman NUNN. I think—do you want to add something there? [Pause.]

Ambassador GLITMAN. Ambassador Woodworth just pointed out that the treaty does not as such affect the German Pershings, if that is what you are referring to. It is the German's decision to deal with those.

Chairman NUNN. I understand. I used the words "directly or indirectly."

With respect to U.S. cooperation with NATO on the modular stand-off weapon, does the treaty prohibit sharing guidance system technology or hardware with any other NATO country on this project which could be used by NATO or any other country other than the United States to perfect a ground-launched cruise missile with a range in excess of 500 kilometers?

Ambassador GLITMAN. And here again, I think the treaty speaks for itself. We can provide components, because that was one of the things they sought to prohibit. Again, I think we would have to look at some of those things on a case-by-case basis. If you provided a sufficient number of components so that you effectively recreated a system, that would be one case you would want to look at very carefully.

Chairman NUNN. What if we took just the guidance system technology right off the Pershing II's and handed it to the French or British?

Ambassador GLITMAN. The treaty prohibits us from producing or transferring a missile, missile stage or launcher for a treaty-limited cruise missile or ballistic missile. It does not prohibit the production or transfer of lesser components, including guidance elements, technology or blue prints, and we rejected Soviet proposals for such prohibitions.

In any event, these kinds of issues will have to be looked at on a case-by-case basis.

Chairman NUNN. What about the case of the guidance system technology?

Ambassador GLITMAN. Well, as I said, it does not prohibit the transfer of guidance elements.

Chairman NUNN. So that we could cooperate with the British or the French on guidance system technology.

Ambassador GLITMAN. Yes.

Chairman NUNN. Does the treaty apply to any aspect of United States-British cooperation in the Trident submarine-launched ballistic system project?

Ambassador GLITMAN. No. And we were very much aware that the Soviets might try somehow through this to affect that. The answer is no.

Chairman NUNN. Senator Warner.

Senator WARNER. Thank you.

Does article XIV add anything to the treaty in terms of prohibiting any obligations, undertaking or other action, either unilateral or cooperative, that is not otherwise prohibited in the treaty?

Ambassador GLITMAN. No, it does not.

Senator WARNER. Assuming either party wanted to take "compensating" military action with weapons not covered by this treaty, does the article in any way restrict such actions?

Ambassador GLITMAN. No, it does not.

Senator WARNER. What would be the administration's position if the Senate were to add a reservation that made it clear that article XIV adds no obligations not otherwise contained in the treaty?

Ambassador GLITMAN. Again, my concern as expressed to Senator Exon would apply to this possibility. I think we have got article XIV, as the record shows, where we want it, namely, as a restatement of international law. I do not think it would be to our interest to begin to question whether that was in fact the outcome.

Senator WARNER. You just indicated, if I heard you correctly, that specific items would have to be considered I think you said, "on a case-by-case" basis.

Would this be done unilaterally or in some type of a forum with the other party?

Ambassador GLITMAN. I think we would want to do that unilaterally, make sure that we are in keeping with the letter, and here again, I am sorry Senator Cohen is not present, but with the spirit, and I gave you the example where if you put enough components together to create a banned system, you are in fact creating a banned system. So you would have to look at just how many components there were.

It is a tough one to find a dividing line on.

Senator WARNER. In requiring that the parties not assume certain international obligations or undertakings, was the word "assume" used to connote some sort of formality between nations in the undertaking?

Ambassador GLITMAN. We sought to make it as formal as possible. The Soviet effort was to get this to be as vague as possible, for example, their effort to make the word "undertakings" be similar to "activities." So our effort was to make it formal so that they could not charge that if a couple of Americans and a couple of British or French or Germans got together and tried to discuss something, that somehow this was an undertaking.

Senator WARNER. Well, if that is the case, what sort of formality do we and the Soviets intend to be required to adhere to assuming an obligation or assuming an undertaking?

Ambassador GLITMAN. It would have to be a written document. Again, there was discussion on that point with the Soviets.

Senator WARNER. Well then, let's press it further.

If that is the case, are there any unilateral actions within the scope of article XIV?

Ambassador GLITMAN. Basically not, because we are prohibited by the treaty from the production, flight testing, et cetera, of these systems. That takes—article XIV does not have to do that. We are prohibited by the treaty from that.

Senator **Warner**. Following, again, very closely your responses here, does the unilateral case-by-case review that you have suggested not in effect constitute an obligation not otherwise contained in the treaty?

Ambassador **Glitman**. I do not think so. That would be the case if article XIV were not there. You have to make sure that you are complying with the treaty as you move forward in these areas.

Senator **Warner**. My time is up, Mr. Chairman.

Senator **Exon** [presiding]. I believe you would be next, Senator Shelby, under our rotation procedure.

Senator **Shelby**. Thank you. Thank you, Mr. Chairman.

Ambassador Glitman, Senator Nunn touched on this I thought, the so-called noncircumvention article. Would this restrict, say, Great Britain or France or anybody else from developing a weapons deliverable ground-launched cruise missile using technology that the U.S. has already developed but is basically well known in the scientific community?

Ambassador **Glitman**. He did indeed ask that question, and as I pointed out, there is no noncircumvention article in the treaty. We managed—we did not manage, we succeeded in persuading the Soviets that this treaty would not have a noncircumvention article. That article was in fact attempted by them, and they did not succeed in getting it in.

But the answer to your question is that the treaty will not prohibit the production or transfer of components, including guidance systems.

Senator **Shelby**. Could we share components such as guidance systems with other nations, and could the Soviets also do this with their allies or anybody else?

Ambassador **Glitman**. Again, the treaty does not prohibit the transfer of components. There was a specific effort on the Soviet part to do this.

Senator **Shelby**. Could the Soviet Union, with one of its surrogates, if it chose to do so, turn the technology for an intermediate-range nuclear missile over to them, for development? Is there anything in this treaty to prohibit that?

Ambassador **Glitman**. Here again, I think one has to recognize that there is—if you turn over enough so that you have recreated the system, you are certainly getting to that point, and that is what I meant by a case-by-case approach.

Senator **Shelby**. Do you foresee any circumstances such as cheating by the Soviet Union on a mass scale where the U.S. would want to abrogate this treaty and get out from under it?

Ambassador **Glitman**. Senator, if I foresaw that, I would be very doubtful about going forward with the treaty, so I do not foresee it, but the treaty and international law would permit us—first of all, we have verification provisions to help us catch such cheating if it were to occur.

Senator **Shelby**. And if it were to occur?

Ambassador **Glitman**. Under international law, if there is a material——

Senator **Shelby**. What would your recommendation be? I know it is supposition, but what if there were massive violations and it was verified, what would your recommendation be as a negotiator of this treaty?

Ambassador GLITMAN. Well, Senator, I would have to know exactly the circumstances.

Senator SHELBY. I know that.

Ambassador GLITMAN. And it is difficult to say in the abstract, what sort of situation we are going to face. I think that is up to the administration and the Congress of the day to decide what action should be taken.

Senator SHELBY. Would you recommend to any administration to keep its options open in a situation like that?

Ambassador GLITMAN. The options are open, and indeed, that would be my answer to your question.

Senator SHELBY. Not to continue to hold onto something that was worthless.

Ambassador GLITMAN. Well, again, you would have to see what the circumstances were at the time.

Senator SHELBY. Surely.

That is all I have, Mr. Chairman.

Senator EXON. Senator Quayle.

Senator QUAYLE. Thank you, Mr. Chairman.

I am sorry I missed your opening statement.

Ambassador GLITMAN. I am, too.

Senator QUAYLE. I guess I can read it. You did not have a text.

Ambassador GLITMAN. I am sure it is——

Senator QUAYLE. It is in the record, so I can read it there.

I am just intrigued, not that it is a major point, but I am intrigued why we do not call this in its generic term the noncircumvention article.

Why is that? I mean, what importance do you place on it? I think noncircumvention is what it has been commonly referred to. I think, if I am not mistaken, was the SALT II article not called a noncircumvention?

Ambassador GLITMAN. I am glad you put it that way, and I am really sorry you were not here at the beginning, Senator, but let me help you out with this.

There were two articles in SALT II. Article XII read "In order to ensure the viability and effectiveness of this treaty, each party undertakes not to circumvent the provisions of this treaty through any other state or states or in any other manner."

Article XIII stated "Each party undertakes not to assume any international obligations which would conflict with this treaty."

Now, as you can see, article XIV of the INF Treaty bears some resemblance to article XIII of the SALT II Treaty. It bears no resemblance to article XII of the SALT II Treaty, and therefore it is very correct for us to say that this is not a noncircumvention article. Article XII was a noncircumvention article. We had to negotiate against that precedent. The Soviets had that precedent in their favor.

Now, this treaty will set another precedent because that noncircumvention article is not in this treaty.

The language in article XIII, as I pointed out, you can find similar language in the ABM Treaty, in SALT II, and even in the

North Atlantic Treaty. So it is standard, almost boilerplate language.

Senator QUAYLE. Now, what do we call those? Article XIII, what was it called?

Ambassador GLITMAN. We did not give it a name.

It is, in effect, just as article I is a chapeau, that in broad terms says the parties agree to get rid of all their weapons, and this is sort of like the concluding paragraph. There are a couple paragraphs that follow, but they are essentially administrative, and this paragraph essentially says you will comply with what you just agreed to up above, and it is in fact a restatement of international law.

Senator QUAYLE. A restatement of international law which gives it a meaning?

What is the meaning of article XIV?

Ambassador GLITMAN. Pacta sunt servanda, treaties will be followed, will be complied with.

What is the meaning of the article VIII in the North Atlantic Treaty if not the same? It says the same thing.

Senator QUAYLE. Are treaties not to be complied with, is that not assumed?

Ambassador GLITMAN. It is assumed, but states see fit on more than one occasion to restate that. I have given you two examples, three examples before this treaty. But that is not noncircumvention. It is just a way of saying we are going to comply with this treaty, and we will not undertake any new obligations which conflict with it.

It also means that any previous obligations are not covered.

Senator QUAYLE. It says, let's say, we say that the parties shall comply with this treaty and shall not assume any international obligations or undertakings which would conflict with its provisions.

That is similar to, as you say, article XIII of the SALT Treaty, but there was an article XII in the SALT Treaty that dealt specifically with circumvention.

Ambassador GLITMAN. That is correct.

Senator QUAYLE. And you dropped that.

Ambassador GLITMAN. That is correct.

Senator QUAYLE. The only thing I can say, we can talk in semantics, but when you are talking to people in the State Department or people even when I was over there, they always referred to this as the noncircumvention article, and now we are getting a debating point on the terminology, that this really is not a noncircumvention issue. I do not think it is a big deal. I think everybody understands, at least understands what the intent of this article is.

You changed the words from article XIII to what we have in here. What was the debate on that? Why did we not just take the same words?

Is there any new meaning given to the words "undertakings?" Let's see, we substituted—we add the word "undertaking" and substitute "provisions" for "treaty."

Did that give any additional meaning?

Ambassador GLITMAN. Well, the word "undertakings" was part of a Soviet effort to try to get us to put some vague language in this article, and they wanted to use words such as "actions or activities." On our side of the table, someone suggested "undertakings." And then we said, that word must be seen in its formal sense.

The Soviets accepted the word in English. They tried to provide a Russian language version of the word which was akin to "activities or actions," and one of the last steps in the negotiation was to insist that the Russian word for "undertakings" would have to be akin to a formal act, and we used as an example the Helsinki Final Act, and I added an Act of Congress to show the nature of the formality, the fact that it would have to be something that you could read and see. In the end, the Soviets accepted the Russian word which corresponds to that sense of formality and not the word that corresponds to the sense of activities.

Senator QUAYLE. So which word is more broad, "undertakings" or "obligations?"

Ambassador GLITMAN. We have tried to make them as synonymous as possible, Senator.

Senator QUAYLE. But they must mean something different to the parties.

I am just trying to figure out, is there any real difference, because those are the change in the words.

Ambassador GLITMAN. Well, I have explained the history of it.

Senator QUAYLE. Is one broader? Do you think we are better off with "undertakings" and "provisions" from our viewpoint?

Ambassador GLITMAN. Well, I think "provisions" is very helpful, frankly, because it is not just the treaty, it is its provisions.

Our aim was to avoid as much as we could, and I think we have succeeded, vague, general language here. As I pointed out, both sides knew what was at stake, and it was not hidden. We knew that their effort was to try to find wording which would make it difficult—easier for them to either put a brake on NATO activities or to have a basis for accusation that we were not complying with the treaty, and we resisted that effort. That is why we wanted to give this word "undertakings" as precise a meaning as we could.

Senator QUAYLE. Not to go back in your testimony, and I presume that this pointed it out, do you go through the major points of what the Soviets wanted to achieve, and how specific can you get with us of what they were trying to achieve at the bargaining table on this whole area of noncircumvention that we did not give them?

Ambassador GLITMAN. This statement does that, and it points out how they sought to get components, technical documentation related to the systems covered by what would have been had we accepted it a noncircumvention clause. None of that appears in the final document.

Senator QUAYLE. All right. I will read that.

So components, a component of a guidance system, to use the example that has been put forward, if the British decide to go ahead with their own MSOW program, or just take the MSOW program and it gets into the range of, say, 2,000 kilometers, and if we want to help them out with the guidance system, that would be a component, and that would be allowed.

Ambassador GLITMAN. We can help them with the guidance system.

Senator **Quayle**. So the thing is at some time a lot of components could add up to a missile.

Ambassador **Glitman**. Yes.

Senator **Quayle**. But clearly, a guidance system or a particular part, until you—you can in fact do that in the exchange with our allies.

Ambassador **Glitman**. What we cannot do is produce the missiles, the stages, the launchers of prohibited items. That we cannot do.

Senator **Quayle**. The components we can.

Ambassador **Glitman**. Components, given the fact that the Soviets specifically tried to capture components, it is not there, one can conclude from the record that that is free.

Senator **Quayle**. In the administration article-by-article analysis of the treaty, they say that article XIV is described as, and I am quoting from their analysis, "referring only to the assumption of future obligations."

What future obligations are we talking about? And that is what the article means, basically. We are talking about future obligations, and that is my desire, to try to figure out what future obligations are captured by article XIV.

Can you spell out for us what future obligations that they are talking about?

Ambassador **Glitman**. Well, first of all, our effort with regard to that phrase was to make sure that existing obligations—and there is one with the Federal Republic—were not captured. Everything that we have now in the way of a program which involves systems covered, with ranges covered by this treaty, and there is one like that, the well-known one with the Federal Republic, is not captured by the treaty or by article XIV, which is part of the treaty.

So that was our main aim.

Now, I think for the future, we have to be careful. If I can draw an analogy with a far more lofty document, the Ten Commandments, this says thou shalt not do certain things, and it spells them out. It does not say what thou shalt do. And you can imagine we would have had billions of commandments if it had been turned around and we were told what we could do.

And since it is very clear to us what we are not allowed to do under this treaty, I think we should leave it at that rather than begin to try to come up with all the things we can do under the treaty, because if we leave something out, the record might then—someone could then come back and say, well, you did not say can you do this, and therefore maybe you cannot.

Senator **Quayle**. Well, let me just give you my viewpoint and then see how we could maybe reach an understanding.

My concern is that if in fact we must spell out what these future obligations are, what we think that we can do, and my desire is to give us as much flexibility as possible. My desire is to take exactly what you say, that the Soviets attempted to get a more restrictive article XIV, tried to get a very restrictive noncircumvention clause and failed. We did not give that to them.

And if we do not have a good understanding of what they really wanted to get, and particularly what the State Department refers to as future obligations, if we do not get in broad terms an understanding of that, down the road I can foresee some problems. Down the road is when you will have the problem. The Department of Defense will come up with some new technology, and people might raise the issue, and particularly the Soviets would raise the issue and say no, that would be a violation of article XIV, and unfortunately, the Congress has a tendency from time to time to adopt Soviet positions, and we will get right back into the situation of where we will be restricted from going ahead and doing something that many might feel that the treaty allows.

How can we best describe, and if we cannot get into some of the, you know, very broad statements of what we can and cannot do on these future systems, what you are going to be doing is the worst case scenario, and that is to leave it to some future Congress or leave it to the Soviet Union in the future to raise this as an issue, and the possibility that the Congress would then go ahead and join with them, and it would be to our disadvantage.

How do we get the maximum flexibility which you say that you brought home from Geneva understood right now?

If you just go back—this gets back into this whole Agreed Statement, you know, what we got and what we did not get, and we do not need to get into that, but I think the problem for me is not now or 2 years from now or 3 years from now. The problem for me is 5, 10, 15 years down the road. This treaty is in perpetuity. This treaty is forever. And therefore we have got to, and now is the time to do that. I do not want to call you back 15 years from now and say Mr. Ambassador, what did you really get there?

Now is the time to really spell this out as clearly and to give us as much running room in the future for our technological enhancement as possible.

How do we go about that?

Senator EXON. The chair would just like to say, I am not so worried about calling you back 15 years from now, because we are going to have you here for the next 15 years with the speed with which we are moving. [Laughter.]

Would you kindly answer that question as quickly as you can, and then we will move on.

Ambassador GLITMAN. Yes, Senator Exon. And I think in effect the answer to that question is the same answer I gave to the point you made earlier, that I think we are best protected by relying on the record of the negotiations, by looking at what the Soviets asked for, by comparing this with SALT II, for example.

It is all there. It is easy to see, and states what it is we cannot do, and what we cannot do is to enter into an agreement with another state to produce or provide a missile, a missile stage, or a launcher, that is it.

Senator QUAYLE. So we should rely heavily on that negotiating record?

Ambassador GLITMAN. I would say rely on the differences between where they started out and where they ended up. And as I pointed out, you can look at SALT II and look at this treaty, and you can see that the difference between article XIV and article XII is considerable.

And again, we are limited only by the provisions of the treaty, and the provisions of the treaty are very clear. You cannot produce and therefore you cannot provide missiles, stages of missiles, or launchers.

Senator **Quayle**. So your viewpoint is the negotiating record would be very, very helpful in this area?

Ambassador **Glitman**. Yes.

Senator **Exon**. Thank you very much, Senator Quayle.

Senator Levin, you are recognized for 6 minutes.

Senator **Levin**. Thank you.

Could you give us a little background as to why the Soviets finally gave in on this issue of existing agreements? Was this a last minute decision on their part?

Do we have any idea as to why they withdrew their prior position? Was it traded for something?

Ambassador **Glitman**. No. I think—I am trying to remember, to be as accurate as I can. I do not believe there was any tradeoff as such. We did not give anything up so that they could—for them to drop that.

I think we made it very clear that we simply would not be able to accept such a situation. The discussion, as I pointed out, was not hidden. We told them we knew what they were trying to get and that they would not get it, and we pointed out to them that their misuse of article XII of the SALT II Treaty had put us on our guard and we were not going to let them put us in such a situation again.

And the fact of the matter is that the moment they began to misuse SALT II, I raised it, well before the end of the negotiation.

Senator **Levin**. Was this a last minute decision on their part, to concede this point?

Ambassador **Glitman**. They began backing off of that, I think, as early as October 1987, even 1987[1], little by little. The last ditch move on their part was the Russian language, and that was not agreed upon until the night of the 6th of December.

Senator **Levin**. The only other question I have has to do with the phrase "existing agreements." Senator Quayle has raised the question of future obligations; I would like to focus on a different aspect, which is the existing agreements exception.

Do we know what existing agreements they have?

Ambassador **Glitman**. They on occasion during the discussions would try to suggest that, well, maybe if we kept programs going with the Federal Republic that they would have a program with someone else. And the nature of their approach and their response to my riposte to that, which was, you do not have such a program in existence today, and were you to start one it would obviously be an effort to circumvent—now I would use that word—suggested that to me, that they do not have any such programs.

Senator **Levin**. If we are making an exception for existing agreements, if we are saying that undertakings which would conflict with the provisions of this treaty are prohibited, but existing agreements which presumable conflict with this treaty are to be honored, should we not have a list of their agreements, so that some day we do not find out, well, gee, they had an agreement with Hungary permitting the transfer of SS–20 technology or components.

---

[1] October 1987 saw the first real movement.

How do we know what it is that we are allowing if we do not have a list of existing agreements?

Ambassador GLITMAN. There are no exceptions as such for existing agreements. There is nothing in our agreement with the Federal Republic that violates the treaty. That was our whole effort essentially, was to make it clear to them that that program of cooperation was outside of the treaty.

I understand your question.

Senator LEVIN. It relates to the article by article analysis and I quote: "This provision refers only to the assumption of obligations in the future and existing agreements are therefore unaffected." I will repeat my question:

How do we know now what existing agreements we are in effect allowing as exceptions to this treaty, unless we get a list of those agreements from them?

Ambassador GLITMAN. Well, there again I think there would be a problem. If we started going though those lists, it would somehow give the impression that the agreement was an exception to the treaty.

Senator LEVIN. Is that not what this analysis says?

Ambassador GLITMAN. Well, existing agreements are not affected by article XIV, but they may conflict with the treaty prohibitions. And Mr. Matheson is the State Department legal advisor and has played a role in writing the analysis. I would let him respond to that legal point.

Mr. MATHESON. The only point, Senator, is that article XIV itself is written specifically with respect to future agreements. There might be an existing agreement, hypothetically, that would be inconsistent with the treaty, though it is not the case in fact with respect to our agreements.

But hypothetically, you could have an existing agreement which would be in conflict with the specific provision of the treaty. If the Soviets come to us and claim there is some existing agreement that allows them to produce and provide missiles, then they would not have a valid argument under the treaty.

Senator LEVIN. So that this language in this analysis is intended to apply only to article XIV?

Mr. MATHESON. It specifically describes article XIV.

Senator LEVIN. But when it says "unaffected," does it mean unaffected by this article?

Mr. MATHESON. Well, there are two points: first, article XIV itself relates to future agreements; second, nothing in the treaty, nothing in any part of the treaty, affects existing U.S. programs of cooperation, and the reason is that there is nothing in our programs of cooperation that is inconsistent with anything in the treaty.

Senator LEVIN. Would there be any value in having a list of existing agreements they have entered into for the purposes of this article?

Mr. MATHESON. For the purposes of this article, it is not relevant.

Senator LEVIN. Would there be any value for any other purpose to have a list of agreements that they have entered into?

Mr. **Matheson**. It would not tell you anything about compliance with the treaty because, however many existing agreements they have, they still have to comply with the treaty. Whether it would have value for other purposes, I would defer to the Ambassador.

Senator **Levin**. If your answer to both questions is that it would not be of any value, then I am not sure what the relevance of this language is, if this provision refers only to the assumption of obligations in the future and existing agreements are therefore unaffected.

If we do not know or care what existing agreements they have for either the purpose of this article or any other article, I am not sure what the relevance of that language is.

Mr. **Matheson**. It is simply a description of the way article XIV reads.

Senator **Levin**. My time is up. Thank you.

Chairman **Nunn** [presiding]. Senator Exon.

Senator **Exon**. I have no further questions on this. We can move on to article XV.

Chairman **Nunn**. Senator Shelby.

Senator **Shelby**. Mr. Chairman, thank you.

Ambassador Glitman, in your negotiating stances with the Soviet Union regarding the INF Treaty, obviously we had certain aims or goals that we were moving toward. And I realize, as you well do, that any agreement is a compromise. A compromise here and a compromise there, on language, on words that make up the language, et cetera, and on substance.

What one key point did you want in the treaty which we did not get? Because you do not get everything.

Ambassador **Glitman**. You do not get everything, but I think in terms of the key points, if you look at what we were asked to get by our allies and by ourselves back in 1979——

Senator **Shelby**. Your goal, in other words?

Ambassador **Glitman**. Those goals, we achieved every one of them. We got equality, which was our fundamental requirement. We kept out British and French nuclear systems, which was part of the equality argument. We got a global limitation instead of a limitation restricted only to Europe.

We kept the airplanes out, so that NATO's conventional forces would not be undermined.

Senator **Shelby**. What did we not get?

Ambassador **Glitman**. And we got effective verification, and we got short range systems covered. So we got all of those.

And I think if you asked me what the key things were, we got those, and that is really the heart of the argument.

Senator **Shelby**. We understand that. But my question was, what key point or goal would you like to have seen in this treaty that you could not get? I mean, it would be in the negotiating record.

Ambassador **Glitman**. Well, I would not say any of the key points or goals we did not get.

Senator **Shelby**. In other words, you achieved everything you set out to get, is that what you are saying?

Ambassador **Glitman**. In the broad sense, Senator. If you ask me about a small—I will not say small, but an individual issue, there were some things that I would have liked to have gotten.

Senator SHELBY. Like what?

Ambassador GLITMAN. We would have liked to have gotten onsite inspection of some of the boost R&D launchers. But again, national technical means I think will qualify, will handle that. And so I am not concerned about it.

Senator SHELBY. Do you think that will be a problem?

Ambassador GLITMAN. No, I do not.

Senator SHELBY. Why?

Ambassador GLITMAN. Because I think NTM will do the job.

Senator SHELBY. And what are some other things that you would have liked to have had?

Ambassador GLITMAN. Well, again, that is a tough question to answer.

Senator SHELBY. Well, go ahead. You were the negotiator.

Ambassador GLITMAN. Well, I understand, Senator. But you are sort of saying, well, what did you not get.

Senator SHELBY. Well, you did not get everything you wanted. Obviously you did not. So that was one you just mentioned. You said there is a substitute for it.

Ambassador GLITMAN. Somebody sent me a note that said we did not get unilateral reductions by the Soviets, but in fact on the shorter range missiles we did effectively get some.

I think it would be more useful if, when you are finished with the negotiating record, that you ask me, well, why did you not do this or why did you not get that, rather than for me to say, well, here are the things that we would have liked but we did not get.

Senator SHELBY. We hope we are going to have that opportunity.

I want to get into one other point. Are you basically saying that we can do anything that is not specifically prohibited by the treaty?

Ambassador GLITMAN. That is essentially the point we are trying to make. Article XIV says you have to comply with the treaty and not undertake things which conflict with the provisions of the treaty, and the provisions are there. They are very clear.

Senator SHELBY. And if it is not clear that it is prohibited, then we can do it?

Ambassador GLITMAN. If it is not prohibited by the treaty, we can do it, and that is correct.

Senator SHELBY. And who is going to interpret the treaty?

Ambassador GLITMAN. Well, that is for the parties to interpret.

Senator SHELBY. That is all I have, Mr. Chairman.

Chairman NUNN. Thank you, Senator Shelby.

Are there any other questions on article XIV? Senator Quayle.

Senator QUAYLE. What program of the FRG are you referring to?

Ambassador GLITMAN. That is the existing program of cooperation under which the Federal Republic of Germany received the Pershing I-A missiles and launchers, and we provide the re-entry vehicles, front ends. That program of cooperation is in existence and is not covered by this treaty.

That is the program that Chancellor Kohl stated he would in effect end with the elimination of United States and Soviet missiles, and then the front ends would in effect revert to us and we would eliminate them in accordance with the way we eliminate other front ends on deployed systems.

Senator QUAYLE. Not in this agreement, but the Germans have basically said that they would on their own?

Ambassador GLITMAN. That is correct. That is a unilateral German statement.

Senator QUAYLE. So there would be no program, no Pershing I-A program continuing?

Ambassador GLITMAN. That is correct. When the Federal Republic takes its action, that program will end.

Senator QUAYLE. For some reason, I was under the impression that there might have been something else. Let me ask, as we rely on the negotiating record to get a clear and better understanding of what the Soviets wanted and what they did not get, and as we rely on the negotiating record to understand what we can do with future obligations, will this negotiating record that we will be relying on for this interpretation, will the Soviets have also agreed with that part of the negotiating record that we are going to be relying on for what we can do?

Ambassador GLITMAN. The record consists essentially of the memoranda of conversations which were prepared by the U.S. side. We did not show them to the Soviets, or vice versa. They also undoubtedly prepared those.

And so there is no effort—what we have in common with them is the treaty.

Senator QUAYLE. For our purposes of clarification, for our purposes of clarification, having an understanding now of what we can do in the future, you indicated that we ought to look very closely and see the negotiating record and that will spell this out.

And I intend to do that. My concern is, how do we also make sure that that is the understanding with the Soviets, because otherwise we are going to get back, as I said, in this trap again?

That may be our own understanding in the negotiating record, we write things differently. But if they have a different understanding of the negotiating record, are we not really right back to square one and we do not have an agreement or an understanding on what we can do in article XIV?

Ambassador GLITMAN. I think the point here when I speak to the record, we are going to try to prepare something in more classified form on this subject.

Senator QUAYLE. On article XIV?

Ambassador GLITMAN. Yes, because we have their written submissions of proposed treaty language. I have paraphrased it for you in my statement, but we have got the actual text that they gave us.

And so you can compare that actual text. They cannot say, well, we never gave you that piece of paper, because they did. And we have it in Russian with the little "secret," Russian "secret" stamp on it, and so on. And so we have that documentation.

Plus, as I pointed out, we have the difference between SALT article XII, and true non-circumvention article, and article XIV to look at. I mean, that is on the public record.

You can do that right now.

Senator QUAYLE. I understand that. But the key phraseology is going to go as to that State Department analysis of what they talked about, future obligations. That is what this article goes to. It does not go to their present or existing agreements; it goes to future obligations.

And what I am trying to tie down as much as I can in this treaty is an understanding of what we can do in the future, is an understanding of the amount of latitude and flexibility that we have.

Now, if we go from testimony here and look at the negotiating record, I just want to make sure that the negotiating record—now we can use that negotiating record to make sure that the Soviets also understand that as well, so that they will have a more difficult time in the future of raising these concerns, which I am sure that they will.

Ambassador **GLITMAN**. Well again, let me note that the treaty, the evolution of the way that we got to the final result is there. It can be seen.

There is no doubt in my mind that as we went through this with the Soviets the issues at stake were laid out by both sides, and that the end result corresponds with our approach.

We are prohibited from doing certain explicit things by the treaty, and complying with the treaty's provisions means that we will be prohibited from those specific things. But I repeat, I do not think it is useful to try to list all the things we can do.

It is better to say, here is what we cannot do and everything else we can do.

Senator **QUAYLE**. But there are—I mean, if that was the case, it would just be article XIV probably would not be there. I mean, we specifically say in the treaty what we are prohibited from doing now and forever. I mean, that is clearly the case.

But my question is, is trying to figure out the meaning of article XIV. And since it is going beyond you are prohibited from what the treaty says that you are prohibited from doing—and it goes to basically Senator Shelby's point of view, that if in fact these are the things that we are prohibited from doing, fine, let us say that.

But we have also said something else in article XIV, and that is what—at least that is what the analysis says, that we are referring only to future obligations. So it means something.

Or maybe it does not. Is it just a political statement?

Ambassador **GLITMAN**. It is a restatement of international law, and I do not think it is helpful to suggest that it places additional obligations on us. It does not. It is, as I pointed out in a sense, just as article I is a chapeau that leads into the treaty, article XIV is a closer, and it says, and in conclusion, you will comply with all of these things and you will not do anything in the future that conflicts with it.

That kind of language is found in the North Atlantic Treaty, in the ABM Treaty, and the SALT II Treaty. I expect you will find it in other treaties. I have not done any more research.

It is not unknown language. States for one reason or another find it more comfortable to have that kind of language in a treaty, and I would not want us or anyone else to begin to think that there is more in that article than a simple restatement of international law.

It does not put any new obligations on us.

Senator **QUAYLE**. If it is just a restatement of international law, then it does not just apply to future obligations. It is just a perfunctory political statement saying that we will abide by the treaty.

Ambassador **GLITMAN**. Yes, and in abiding by the treaty you would not undertake any obligation in the future which conflicted with its provisions.

Senator **QUAYLE**. That is where the rub comes, on what future obligations are.

Ambassador **GLITMAN**. Let me read, for example, article VIII of the North Atlantic Treaty. I am not going to read the whole thing, but it ends up saying: "Each party will undertake not to enter into any international engagement in conflict with this treaty."

Now there we were with our NATO allies and we and they saw fit to put that in there. Now, I do not know the history of it and so I cannot comment on how it got there. But it is just an example of how states, nations, feel and believe that they would be more comfortable with such language in there.

And I do not think we should give this any more importance than that. I do not think it is in our interest. It is clear what we tried to do in the negotiations was ensure that this article would not interfere or act as a break on NATO cooperation.

It is not a non-circumvention article, and I think it is in our interest and in the interest of our allies that we leave it at that. We do ourselves no good, and no need to try to go beyond that.

I would hate to see the effort of the negotiations somehow undermined. My aim in the negotiations was to get this kind of result, recognizing we are going to have something like article XIV. That is part of the negotiations.

Senator Shelby pointed out, you give, you take. What we got at the end was a far cry from what we started out fighting against. And I am confident in my mind that we have not got a non-circumvention clause, that this will not break, for example, the efforts which were begun at Montebello, to use specific examples. It will not do that.

Senator **QUAYLE**. My time is up. I will pursue it later.

Chairman **NUNN**. Senator Glenn, we are going down article by article on this and we are on article XIV now. We have been using some flexibility, but if you need to use your time to go back on any other article that would be fine, since you were not here.

We do not want to jump forward if we can avoid it, so we can keep an orderly progression.

Senator **GLENN**. I am sorry I could not be here earlier. I was chairing another hearing.

I gather you view this provision as sort of standard, boilerplate language, similar to language used in SALT, ABM, and other treaties.

Do we know of any other treaties that are in force now that would conflict with this provision, such as agreements with our NATO allies or Japan?

And have we researched to make sure that we do not have any treaty obligations that would be in conflict with this provision? I know the emphasis during negotiation was with the Soviets. But we are saying that we are not going to undertake anything that is going to conflict with anything in this treaty.

Ambassador GLITMAN. The main thrust of this article is future. It is not retrospective. So what this article says is that if you have anything in place, it is not covered by this article.

We have one program of cooperation that we know of that involved systems of the type covered by the treaty. The systems are within that range, and that is the program that we have with the Federal Republic of Germany for the Pershing I-A missile systems that they have. That is the only program of which we are aware.

It does not conflict with the treaty because we sought successfully to keep it out of this treaty. The Soviets would dearly have loved to bring it in. They did not succeed.

Senator GLENN. Thank you.

Chairman NUNN. Thank you, Senator Glenn.

Any other questions on article XIV?

Senator Levin.

Senator LEVIN. Mr. Chairman, back to this article-by-article analysis. I understand the article itself, and I frankly think it is straightforward and makes sense. I have trouble with the article-by-article analysis and what it is telling us.

It says that this provision refers only to the assumption of obligations in the future. I challenge that because the provision says the parties shall comply with this treaty, which to me means that this treaty supersedes any other agreement.

My first question to you is: If the Soviets have an existing agreement which is inconsistent with this treaty, does this treaty govern, or does their agreement with say Hungary govern?

Ambassador GLITMAN. I will ask Mr. Matheson to address that. I got involved in the treaty, but others did this.

Mr. MATHESON. That is a fair point, Senator. The first part of that provision clearly does say you will comply with the treaty.

Senator LEVIN. My question is if they have an agreement with Hungary which is inconsistent with this treaty, does this treaty govern?

Mr. MATHESON. Yes, it does.

Senator LEVIN. So it governs existing obligations.

Mr. MATHESON. Yes.

Senator LEVIN. In your executive summary here, it says, "This provision refers only to the assumption of obligations in the future, and existing agreements are therefore unaffected." I think that opens the door to the Soviets arguing someday that it was represented to us that their existing agreement with some ally which we perhaps did not know anything about is unaffected.

I do not think we ought to open that door because article XIV says the parties shall comply with this treaty. I think we ought to be very insistent on that.

Mr. MATHESON. Senator, I agree with you. This treaty does apply. It is the additional language that only refers to future agreements.

Senator LEVIN. That, again, I emphasize, is not the way you have phrased your article-by-article analysis. It does not refer to the second half of the sentence. It refers to the provision.

Mr. MATHESON. Fair enough, Senator. If we were unclear, we should have been clearer.

Senator LEVIN. Is it not worth some kind of an amendment here, because there are two clauses to the provision. The first one clearly applies to existing agreements which are inconsistent with this treaty, and I do not think in the ratification debates here we ought to represent anything different from that.

So my question to you, I guess, is this not worth clarifying?

Mr. MATHESON. Well, to the extent it requires clarification, we are doing that right now. Our testimony is authoritative. If you like, we can provide a statement for the record.

Senator LEVIN. It is not so much whether I like it. It is a question of whether you believe that it is necessary and appropriate. I do obviously, but my question really is to you.

Do you feel that it is appropriate that that sentence in your article-by-article analysis be amended or somehow or other changed in a subsequent letter?

I am not going to tell you just because I happen to feel this way that, therefore, objectively it is required. I am one of many on this committee.

Mr. MATHESON. I do not think it is required in any technical sense, but we will state for the record, and we are stating for the record, that the treaty governs; that the language to which that passage refers is the additional language about future agreements; that the treaty does govern with respect to current agreements.

Senator LEVIN. I would give a little thought to this issue if I were you, because your executive article-by-article analysis is given a certain preference, I think, in the scheme of things. It is a very formal statement as to what the treaty means, whereas conversation at a hearing is of less stature and does not technically amend it.

I would take a look at that if I were you, because, again, I remember, going back to the ABM Treaty, that that analysis of the executive branch had real stature. It has been quoted very frequently, as a matter of fact, on the critical point at issue in the ABM debate.

I am worried by that sentence. I think it opens the door to a whole lot of unknown agreements, for instance.

Chairman NUNN. Which sentence exactly is it, Senator Levin?

Senator LEVIN. It is in the executive branch article-by-article analysis.

Chairman NUNN. I see that, right.

Senator LEVIN. It says, "This provision refers only to the assumption of obligations in the future", whereas, in fact, this provision also refers to existing obligations and it supersedes them.

The first part of the provision, "The parties shall comply with this treaty", is intended to and I think by its own language does supersede any conflicting existing obligation. I think that is what you have told us now.

Mr. MATHESON. Again, Senator, the language you read was referring to the language on assumption of future obligations in that provision, and to the extent it is unclear let us clarify it right now.

We do have to comply with the treaty, and so do the Soviets. They cannot violate the treaty by bringing up some alleged existing agreement to the contrary.

If there is some other way in which you would like us to document that, we can do it.

[The information follows:]

Article XIV states: "The Parties shall comply with the treaty and shall not assume any international obligations or undertakings which would conflict with its provisions."

The fourth sentence of the corresponding part of the section-by-section analysis states: "This provision relates only to the assumption of obligations in the future, and existing agreements are therefore unaffected."

The "assumption of obligations in the future" referred to in the section-by-section analysis relates to the final clause in article XIV (". . . shall not assume any international obligations or undertakings . . ."). This clause, by its own terms, speaks only to future assumption of obligations, and so by definition cannot affect existing agreements.

On the other hand, the first clause of article XIV (". . . shall comply with the treaty . . .") of course applies to all activities of the parties that are covered by the treaty, and not simply to those under future agreements.

Senator LEVIN. I checked with our staff here. Apparently we do have some agreements, for instance with the Dutch and the Germans, to place weapons on their soil which are now superseded, Pershings and GLCMs; is that not true? Any agreement that we have to put Pershings in Germany or GLCMs in Holland is superseded by this INF agreement?

Mr. MATHESON. I do not believe we have any obligation to do so.

Senator LEVIN. We do not have an agreement?

Mr. MATHESON. We do not have an obligation to do so.

Ambassador GLITMAN. There is a difference, because we do obviously have implementing arrangements with those countries; but, of course, this treaty goes to that point.

The substance of the issue is different from that. Here, we were talking about programs of cooperation. The issue here was could they in some way use the treaty to say that our cooperation with the Federal Republic of Germany was illegal. In fact, that was the substance.

We were saying no, it does not. We took care of that in the treaty, and we sought to make clear that this language in article XIV was prospective rather than retrospective as a double break on that.

As I pointed out, during the negotiations there were ample opportunities for the Soviets to have said we have treaties of this sort, agreements of this sort, with our allies. On the contrary, they did not make that effort. It might have suited them to have done so at one or two points, given their line of argumentation when they were attacking us, but they did not do so.

Senator LEVIN. My time is up, Mr. Chairman.

Chairman NUNN. Any other questions on article XIV? I think I saw Senator Shelby first, and we are rotating back and forth.

Do you have any other questions, Dan?

Senator QUAYLE. Just one other question. This applies not just to NATO allies, but I presume, for example, if Israel wanted to get a ground launch cruise missile of this range, that we would be prevented from giving them that?

Ambassador GLITMAN. We cannot produce or possess and thus transfer missiles that fall within the range bands of the treaty, that meet those criteria. So the answer to your question is we cannot turn to a non-NATO ally and say, well, here is a cruise missile.

Senator QUAYLE. If Israel came to us to answer the Libyan problem and they wanted to have a ground-launched cruise missile or ballistic missile and they came to us for help, we would be precluded by this treaty from helping them on that?

Ambassador **Glitman**. If it is within the range, we cannot do it. We are out of the business. That is what zero means.

Senator **Quayle**. OK.

Chairman **Nunn**. Any other questions? Senator Shelby.

Senator **Shelby**. Mr. Chairman, thank you.

Ambassador Glitman, I have just been observing here for a while this morning.

Are you giving this treaty what we would call the broadest possible interpretation here? It seems to me that you are.

Since we have the chairman present in the room, he understands. He and Senator Levin have done a lot of work on broad versus narrow, but I would just personally observe that you are giving this INF proposed treaty its broadest possible interpretation here.

Would you like to comment on that?

Ambassador **Glitman**. I have not looked upon it in those terms, Senator, as to broad and narrow, but I am not sure I would be able to characterize it.

I am trying to give an accurate interpretation of the treaty and how we got to where we are.

Senator **Shelby**. Going back to my question earlier and to a similar question which Senator Quayle asked, if it is not very specifically prohibited, then you earlier said that we can do it. Is that what you said?

That is what I would call a broad interpretation.

Ambassador **Glitman**. I would not give it a label myself. You are free to do so.

Senator **Shelby**. We could give it a label.

Ambassador **Glitman**. I will not do that. All I can say is that the treaty's provisions are clear on what the sides are prohibited from doing, and that essentially is——

Senator **Shelby**. They are not subject to interpretation, then, you are saying?

Ambassador **Glitman**. I do not believe there can be any question as to what is prohibited.

Senator **Shelby**. What is prohibited is subject to interpretation.

Ambassador **Glitman**. I should think not.

Senator **Shelby**. Everything else does not need to be interpreted, you can just do it?

Ambassador **Glitman**. Again, I will use my Ten Commandments analogy. This treaty says what thou shalt not do. It does not say what thou shalt do. I think it would be a mistake if we tried to list all the things that we can do.

Senator **Shelby**. Do you believe there is anything in there that is prohibited which is subject to dual interpretation by us or the Soviet Union?

Ambassador **Glitman**. I do not. We are prohibited from the production, flight testing and possession of treaty-limited items, banned systems.

Senator **Shelby**. Again, anything else we can do?

Ambassador **Glitman**. Other things we can do.

Senator **Shelby**. Thank you, Mr. Chairman. I did not know if you had any comments.

Chairman **Nunn**. No, I have none right now. [Laughter.]

Senator **Glenn**. Is there any part of the treaty that says we cannot do research and the Soviets cannot do research on weapons systems that would have these same ranges?

You referred a moment ago to production. How about research on weapons systems in these ranges that would not go to full production? Is that also prohibited?

Ambassador **Glitman**. We did not deal with research. We dealt with what we could observe. So it really starts with production and flight testing and, of course, the deployment. But there is nothing in the treaty that prohibits research.

Senator **Glenn**. How about these? You discussed a moment ago our agreements with the Germans, the Dutch, and others.

Was there an analysis done of what kind of agreements the Soviets had with Warsaw Pact nations that would fall into this same kind of category where weapons systems that are covered under the treaty, but are on, say, Hungarian or Czechoslovakian soil?

Is it understood that those are all covered, and have the Soviets agreed to that?

Ambassador **Glitman**. I do not know for a fact what sort of arrangements they made with East Germany and Czechoslovakia, the legal nature of those arrangements, but they have obviously made some form of arrangements under which they stationed their shorter-range INF systems in East Germany and Czechoslovakia. Those are listed in the MOU.

That is a similar arrangement in concept to the sort of things we have with the Dutch and the other basing countries under which we put those systems in those countries; but they are not the same kind of arrangement as we have with the Federal Republic for the Pershings.

They are very different types of arrangements, in that they allow us to put our systems on their soil. So these are sort of standard basing type agreements.

Senator **Glenn**. I trust that within the treaty there is wording that would prevent them, for example, from transferring title for any weapons systems covered under this treaty to, say, Hungary or Czechoslovakia and saying they are independent countries and have these systems and they are theirs, we no longer control them? Would that be prohibited?

Ambassador **Glitman**. The treaty would prohibit either side from doing that simply because you have to account for all the missiles; you have to begin to eliminate them; and in the end you cannot have any. If you cannot have any, there are none to transfer.

This was a particular concern of the Soviets more than ours in a sense. They were very concerned that we would be somehow free to turn more of these systems over to our allies.

Senator **Glenn**. If anyone turned over lock, stock and barrel, say, the production facilities to Czechoslovakia, for example, that would not be covered under this?

Let us say we suddenly find a plant making SS-20s in Czechoslovakia, and the Soviets are saying we did not know they were doing it. Is that possible?

Ambassador **Glitman**. The treaty does not prohibit other countries from doing this. Again, we are getting into hypotheticals, but if we found the Czechs, just as if they found one of our allies, producing that thing, there would be cause for a compliance concern.

Transferring a system does not eliminate it, and you have to eliminate the system. You have to cease the production. As I pointed out, you can do individual components, but if you transfer the whole darn system piece by piece you have really gone beyond the letter of the law.

Senator **Glenn**. Thank you.

Senator **Levin** [presiding]. Does anyone else have any questions on article XIV? Were you done, John?

Senator **Glenn**. Yes.

Senator **Levin**. If not, we will proceed to article XV.

In article XV, Mr. Ambassador, is there anything you want to say specifically on that article before we throw some questions at you?

Ambassador **Glitman**. No, there are not, Senator.

Senator **Levin**. I have just one question, and that is the language in section 2, could you compare that language to the withdrawal language in the ABM Treaty? Do you know that by heart? I do not happen to have the language with me, but are you able to give us a comparison? Is that an easier way out or a harder way out than ABM?

Ambassador **Glitman**. It is the same language. Again, these last two articles, articles XV and XVI, were essentially drawn from previous agreements with the Soviets. There was no controversy over them.

At one point, I think in article XV, the Soviets tried to pin us down to follow-on negotiations which we suspected would have gotten us into aircraft and British and French. As I pointed out earlier, that is one of the things that they agreed to take out when we agreed to let them have article XIV. As it stands now, it is standard.

Senator **Levin**. Not only standard, but this is the same language as the ABM?

Ambassador **Glitman**. It is the same, unlimited duration.

Senator **Levin**. That is what I meant, yes. I just did not remember the extraordinary events. I remember the supreme interest language, but I did not remember the extraordinary events.

Does the treaty require either party to resort to the SVC provisions of article XIII prior to giving notice of the decision to withdraw under this article?

Ambassador **Glitman**. No, it does not.

Senator **Levin**. The analysis here states that the right of withdrawal is in addition to any other rights of a party under customary international law regarding termination or suspension of the treaty, including its rights in the event of a material breach of a treaty.

Does the term "termination" or "suspension" include proportional response?

Ambassador **Glitman**. Yes.

Senator **Levin**. What other actions aside from resort to the SVC under article XIII or termination or suspension may be taken in response to a violation?

Ambassador **Glitman**. Here it really will be up to the President and the Congress of the day to decide what they wish to do in a given situation.

Senator **Levin**. I have no other questions.

Senator Quayle.

Senator **Quayle**. How about future amendments to the treaty? What would be the process? Is there one?

Ambassador **Glitman**. Article XVI is the amendment article. Indeed, they can be proposed by the parties. The parties can agree, for example, in the SVC, on steps that will improve the treaty, its operation, decide that this requires an amendment, and then it would be brought to the Senate just as if it were a treaty itself. You would have hearings on it, the same approach, because it would be an amendment to the treaty.

Again, that is standard language out of previous agreements.

Senator **Quayle**. I was thinking on this, and we are looking at future systems options, that if in the future we come up with a mutually acceptable way to verify a nuclear cruise missile versus a nonnuclear cruise missile, if we come up with a way to do that then we might be able to amend this treaty to allow us to go ahead with conventional cruise missiles.

Ambassador **Glitman**. The parties are free to amend the treaty, and if they were to agree that they wanted to amend it to achieve that result or some other result, they could do that.

Senator **Quayle**. That is article XVI?

Ambassador **Glitman**. Yes.

Senator **Quayle**. Do you have any examples you can give us of what would be in the supreme national interest?

Ambassador **Glitman**. No, I have no examples. Again, this is standard language in there, and it is left in that form so that the parties, at the time that they feel their supreme national interests are affected by it, are able to say this is how we feel about it.

Senator **Quayle**. I wonder who we might ask to get that? I think if we go back into the SALT hearings that we had statements of what we thought it would be.

Who would be the proper person to ask since you have none?

Ambassador **Glitman**. It is not that one cannot speculate on these things, but I am not sure that it is the sort of thing you want to speculate on.

The President and the Congress of the day would decide that the supreme national interests of the United States are affected by whatever activity or thing happened which was, I think if you read the language, related to the subject matter of this treaty and could decide on that basis to invoke this article. That was the phrase I was looking for.

Senator **Quayle**. I personally think it would be helpful if we had some statement in general terms of what we perceive to be the supreme national interest. A lot of questions have been raised in the past that if detection of noncompliance, then what? What would we be prepared to do?

But it seems every time we get into these situations, you can go back and I think it is helpful to say here is what they said at the time we thought would be supreme national interest. Here it is, and see if we are willing to ante up and do something about it or to walk away and ignore the violations.

So if you do not want to give us some general statements, we can ask somebody to submit that for the record. I think that the question ought to be answered. I suppose you can continue to say no answer, but I am going to make that request that you answer what you think would be in the supreme national interest.

Ambassador **Glitman**. Fine, Senator. You have my personal response to that. In my view, it is better not to try to pin down what this means because some President someday in the future may want to interpret it differently, that is the examples that we provide may not fit the case at the moment. I would not want to tie that man's hands or the hands of the Senate at that point.

Senator **Quayle**. I do not know if they are going to be tied, but at least we would have some understanding of what we think at this juncture to be in the supreme national interest.

Ambassador **Glitman**. It sort of gets into the problem we discussed a little while ago. If you start listing an example of what is a supreme national interest, then the Soviets could say, aha, they did not list this type of activity, and so, therefore, maybe it would not provoke this sort of thing.

That is my sense of it, but you have asked us a question and we will give you an answer in writing.

[The information follows:]

Article XV(2) states, in part: "Each Party shall, in exercising its national sovereignty, have the right to withdraw from the Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests. . . ."

This clause is a standard provision in most modern arms control treaties. It was first used in Article IV of the 1963 Limited Test Ban Treaty. In his testimony on this Treaty in August 1963, Secretary of State Rusk replied as follows to questions about this provision from Senator Curtis:

Senator **Curtis**. Acts of aggression not involving nuclear weapons would not give us any right to avail ourselves of this particular provision; isn't that correct?

Secretary **Rusk**. Senator, I would prefer not to try to pick out in advance and in detail exactly what would be construed to be an extraordinary event. . . . I would not wish to say categorically that extraordinary events in the nature of aggression, which would come from quarters which did or could raise the problem and the prospect of nuclear war, would not sufficiently be related to the subject matter of this treaty as to raise the question. In other words, I hope we would not close that door by excluding a situation of that sort at this time. . . . I would hope we wouldn't try to find the exact boundaries on these extraordinary events related to the subject matter. It is a very flexible withdrawal clause.

We take the same view as that expressed by Secretary Rusk. We believe it would not be in U.S. interests to attempt to describe in advance what would or would not fall within the scope of Article XV(2).

Senator **Quayle**. I have no other questions.

Senator **Glenn**. You refer in the article-by-article analysis that this is in addition to any customary international law. What is customary international law in these treaties?

In other words, was this necessary if we have the rights to get out under customary international law anyway?

Ambassador **Glitman**. That phrase there refers to, I believe, a material breach situation. The lawyers are nodding affirmatively.

This means that if something is happening, as it says, related to the subject matter of this treaty, an extraordinary event, you can say this event has occurred and we are giving you notice that in 6 months we are pulling out.

Now, if there is a material breach of the treaty, in other words if there is a massive violation, you do not need to wait 6 months. That is customary international law. You can say such and such a thing has happened; as far as we are concerned, this treaty is now null and void, we are out of it. You have broken it. You have breached it in such a material way that it no longer has meaning.

Senator GLENN. That would be under customary international law as opposed to this?

Ambassador GLITMAN. Yes.

Senator GLENN. I would just think from a practical standpoint, the 6-month waiting period would be sort of academic anyway, would it not?

Ambassador GLITMAN. In the material breach situation, yes.

Senator GLENN. In either case; in this treaty, too. If somebody says they give notice, they are not really going to feel that constrained by the treaty during that 6-month period. They are going to be producing, deploying, or responding in some fashion I would think.

Thank you.

Senator WIRTH. Ambassador Glitman, let me, if I might, pick up on the issues that were raised yesterday related to article XVI and the advice and consent of the Senate.

Let me start by asking you if the advice and consent of the Senate is required for amendments under article XVI?

Ambassador GLITMAN. Yes.

Senator WIRTH. Picking up then specifically on yesterday, what is the difference between amendments under article XVI and agreements in the SVC, "to improve the viability and effectiveness of this treaty"?

Ambassador GLITMAN. An agreement in the SVC is not necessarily going to be an agreement that does not require an amendment. So the issue really is whether it is a technical change; for example, a new type of weighing device or a decision to move to a new way of helping inspectors carry out their work. There was a global positioning satellite arrangement, for example, that some people thought about.

We may decide as we get into the inspection that we would like to have some form of communication of that type which is not provided for. We consider that kind of thing a technical change.

Now, there was a question whether we have to notify that under the Case Act, and I think the answer was yes, we would, but would we have to go through a whole amendment procedure to come up with the fact that we have now found a new way of measuring or weighing an object, and the feeling there is that that would be technical. That is the sort of thing that the Senate would not want to go through a whole ratification process on.

Senator WIRTH. Where does the line then get drawn between those technical protocols and an amendment under article XVI?

Ambassador **Glitman**. The question is have you changed a substantial obligation under the treaty, and such a change under the treaty would clearly require an amendment.

Senator **Wirth**. Is that definition clearly understood in the record between the United States and the Soviet Union?

Ambassador **Glitman**. I believe so. We both agreed, and recognize that we were talking about technical changes here.

Senator **Wirth**. Is there a record of that discussion that makes it very clear what is defined by an amendment under article XVI and a technical change that does not require the technical change or the protocol?

You understand the thrust of what I am getting to. We have all had discussions of what happens when a new administration comes in and tries to reinterpret the treaty. Someone could come in and say that something is really only a change in protocol which could be done without discussion with the Senate because it really is not important.

Is there a very clear definition that would assure us that whatever major changes are under the amendment require the advice and consent of the Senate and others are protocol? Where is that clear line?

Ambassador **Glitman**. I do not think the negotiating record, per se, is going to point out what has to be done there. We are going to have to work with the Senate, with the Congress to ensure in the future that if there are changes, Congress will know that they are on their way and that they are either technical or a major obligation change.

It is up to us and not to us and the Soviets how we carry out our constitutional procedures or how they do theirs. All you have to do is to assure that it is legally done in your country.

That is why I am saying the negotiating record really is not germane as such to this.

Senator **Wirth**. That is perfectly clear, then, that there are protocols that can be changed and they understand that this is something that is in our backyard.

How do we make sure that there is that understanding between the U.S. Senate and the administration?

Ambassador **Glitman**. I think there the point is that we have made it clear that any changes in the obligations will require amendment, and amendments themselves, obviously per se, do that.

On the technical issues, we were asked yesterday if the Case Act would apply, and we said yes.

Senator **Wirth**. I think I am going to come back to that, but let me go on to Senator Warner, if I might.

Senator **Warner**. Thank you. I think it is important we pick up for the purpose of the record again on article XVI. Question 97 has been answered.

Question 99 was answered yesterday.

Question 102 was answered yesterday.

I will now propose question 101. With respect to those aspects of the protocols not considered to be technical, can the executive branch without the approval of the Senate amend the protocols in a manner contrary to or inconsistent with the meaning of the protocols as presented to the Senate?

Ambassador GLITMAN. No, Senator.

Senator WARNER. Question 104. Can the protocol amendment procedure be used without the approval of the Senate to adopt a meaning for any provision of the treaty that is contrary to or inconsistent with the meaning of that provision or any other provision of the treaty as presented to the Senate?

That is the last one, 104.

Ambassador GLITMAN. The answer is no. Indeed, if it were an amendment procedure, by its very name amendment it would require action by the Senate as opposed to a technical change. The answer to your question is no.

Senator WARNER. In answering 104, it appears to me that you have answered 96. I will repeat it, and then you can acknowledge that.

Is the advice and consent of the Senate required for amendments under article XVI?

Ambassador GLITMAN. Yes.

Senator WARNER. Number 98. Can agreements in the SVC be used to give the treaty a meaning that is contrary to or inconsistent with the meaning of the treaty as presented to the Senate?

Ambassador GLITMAN. No.

Senator WARNER. 103. Can the protocol amendment procedure be used to alter any provisions to the basic treaty?

Ambassador GLITMAN. No.

Senator WARNER. Do you wish to add any further observations of your own, now having had the opportunity to hear the questions of this committee on article XVI?

Ambassador GLITMAN. Well, I understand the committee's concerns. I do. I believe it would be incumbent on the administration, the executive branch of the day and the Senate of the day to work in close cooperation to ensure that the kind of questions that have been raised here do not lead to difficulties.

We have to be clear that if it is an obligation that has changed, there is an amendment required. If it is a technical change, it can be handled in this other manner. If it is in between the two, we ought to consult.

Senator WARNER. Thank you very much.

Mr. Chairman, I think on this side we have completed our analysis of article XVI.

Senator EXON [presiding]. Any further questions on article XVI? Dick.

Senator SHELBY. Thank you, Mr. Chairman.

Ambassador Glitman, let us talk about violations. I know you cannot always perceive violations. You know, we all hope there will be no violations. That would be the best of all worlds on both sides.

Some other people have said that since you cannot anticipate all violations or any violations—perhaps with the Soviet Union you can anticipate some violations based upon our history with them and their compliance.

At what point should we withdraw from a treaty? Should it be when there is obvious violation that conflicts with the treaty language, that we both agreed to, that is obviously clearly prohibited? Or would you add to that a violation of militarily significance; in other words, have military significance in addition to the violation of the language itself?

Do you have any comment on that?

Ambassador **Glitman**. I would look upon any violation as a cause for——

Senator **Shelby**. Serious?

Ambassador **Glitman**. Serious, yes. Any violation is serious.

The reaction that we take to any violation I think I would want to leave to the administration and the Congress of the day. It is very difficult, indeed impossible, to sort of posit what a specific situation might look like.

Senator **Shelby**. But we have 6 months notice still. I was out of the room earlier. Did you say that if it were a serious violation or a massive violation that we would not give the 6 months notice?

Ambassador **Glitman**. That is correct. The legal term for it is a material breach.

Senator **Shelby**. Just like a material breach of contract, because this treaty basically is an agreement, is it not?

Ambassador **Glitman**. That is correct.

Senator **Shelby**. If there is a material breach of the contract or the agreement or the treaty, then you would say let us abrogate it and forget the notice and do it immediately and break out of it? I believe that is the phrase that is used.

Ambassador **Glitman**. Yes.

Senator **Shelby**. How would we decide whether something was, and that was my phrase, militarily significant? Would that be up to the Secretary of Defense and the Joint Chiefs of Staff?

Ambassador **Glitman**. I think the administration as a whole——

Senator **Shelby**. Whoever that administration would be?

Ambassador **Glitman** [continuing]. Would look at it and determine whether it was military significant.

There is a distinction to be made between a violation of the treaty, which as I said anything is of concern—the phrase "militarily significant" is used more in terms of would we be able to determine that there was a militarily significant violation, and that is a point we say yes, we could catch that in time.

Do you see the difference?

Senator **Shelby**. Sure.

Ambassador **Glitman**. One would be concerned by any violation, whether it is militarily significant or not. What represents military significant is something that you turn to the chiefs for and say this is a problem.

Senator **Shelby**. Does this do irreparable damage to our national security?

Mr. Ambassador, do you believe that the Soviet Union is going to abide by the terms of this treaty, literally abide by them based on their past behavior of some 40 or 50 years or longer that we have been dealing with them, 70 years?

Ambassador **Glitman**. I think the question that can better be answered is have we put in effect a verification regime which will allow us to be confident—now I will use the word "militarily significant"—that we could find any militarily significant violations.

I would not like at this stage, Senator, just putting something in and not even ready to implement it yet, to start saying——

Senator **Shelby**. Something that has not yet been ratified.

Ambassador **Glitman**. Something that has not yet been ratified, well, I know they are going to cheat or not.

What I do know is we have a good verification regime in place, and it is in our hands and in our power to react as we as a nation see fit if there are any violations of the treaty.

Senator **Shelby**. If we did break out of this treaty, 4 years from now, and I know this is supposition, but do you think we could ever return those missiles to Europe, even new ones, similar ones to that, say the Pershing III or IV. Or have circumstances politically bypassed that?

Ambassador **Glitman**. I think it is difficult to speculate. Again, you would have to look at the circumstances of the day.

Senator **Shelby**. Sure, and I understand we are speculating.

Ambassador **Glitman**. But I do believe that the solidarity that we and our allies showed in the face of the Soviet deployments of those systems bodes well for a firm response on the part of the United States and NATO.

Senator **Shelby**. We know you are very familiar with what is going on in Europe because you have been there in the negotiation.

Do you believe that modernization of the tactical weapons will take place and they will be deployed in Germany in view of the political circumstances now existing in Germany?

Ambassador **Glitman**. We are discussing how we will proceed with our allies. Agreements were reached at Montebello. They are under discussion in NATO.

Senator **Shelby**. But those agreements have to be implemented, do they not?

Ambassador **Glitman**. They have to be implemented.

Senator **Shelby**. They have to be implemented in a political climate, wherever it is, whether in is the United States or West Germany?

Ambassador **Glitman**. Yes.

Senator **Shelby**. Thank you, Mr. Chairman.

Senator **Exon**. Senator Wirth had one more question, and then as far as the Chair knows we are finished with article XV.

Did you have any further questions, Senator Quayle?

Senator **Quayle**. No.

Senator **Wirth**. Thank you, Mr. Chairman.

First, Ambassador Glitman, I thought that was a very good answer of yours to Senator Shelby's question about whether the Soviets will comply, and you tied that well to what kind of verification processes we employ. I think it was a very good answer. Thank you.

I want to follow up if I might on our earlier discussion about making sure that we understand the differences are between what ought to go into the changes under article XV and what are technical changes. Maybe that is best done by going to question 100 in the list of questions.

The article-by-article analysis notes that, "The protocols on elimination and inspection provide the technical changes to those protocols necessary to improve their viability and effectiveness shall not be considered amendments to the treaty.

"Although the analysis refers to 'technical changes', the protocols refer to 'such measures as may be necessary to improve the viability and effectiveness' of the protocols.

"Please identify all aspects of the protocols that are subject to change without the advice and consent of the Senate."

Now, I think the last sentence of that may be a bit broad by asking you to identify all aspects of the protocols, but I think it would be helpful for the purposes of the record and ultimately for the purposes of the report that the committee has to write if you might flesh out a few more examples of what aspects of the protocols are subject to change without the advice and consent of the Senate. I think that that might be the most useful way to maybe complete this discussion.

Does that make sense to you?

Ambassador GLITMAN. Fine.

First, let me say that we cannot change any basic obligations without amendment, and that involves advice and consent of the Senate.

I gave a couple of examples. We can look at weighing devices or satellite communications, things that are not provided for now which, as we get into the inspection regime, we may find will be of value to us. We have to agree with the Soviets first, and then each side would then say let us try to use this new type of phone or whatever it is, things that we have not foreseen that will help with the inspection.

Some of the procedures that we use, how we cut up the missiles, the type of torches and stuff that you use in the elimination protocol, those are things that we say in effect we can try to agree that there is a better way of cutting something up.

The specific obligation to cut that launcher at a certain place you would not change; but the way that you go about cutting it, you might want to change that.

These are the kind of things that we are looking at as being technical changes.

Senator WIRTH. As an example, some of these may be cut up and destroyed at the Pueblo Army Depot, and I have been talking to some of the Army people about that.

Now, one of the technical changes might be the way in which the fuel of these gets burned off. I am just trying to think of examples of what would happen, how the fuel gets burned off and then how the engines are cracked and broken and are visible to do so.

I am just trying to flesh this out so we have a better sense of the number of examples of this again for the purposes of defining what technical changes are.

So we have talked about Wang. We have talked about satellite observation. We have talked about——

Ambassador GLITMAN. Satellite communications which we do not now have which we might find it useful to put into effect.

Senator WIRTH. Any others that you want to add for the purposes of the record?

Ambassador GLITMAN. Mr. Matheson can give you some precendent from previous agreements where this type of language——

Senator WIRTH. Perhaps he could do that, and then we are finished. I just want to exhaust this so that we do not have a problem someplace down the line.

Mr. MATHESON. Thank you, Senator.

Actually, it was asked of us yesterday if we would provide for the record past examples of this sort of procedure. I brought a few today. It is, in fact, a common device that has been used, particularly in maritime and environmental treaties, where there are technical annexes attached to those treaties, and where it was deemed that there would be a need for rapid amendment of technical aspects. This includes, for example, the Marine Pollution Convention of 1973 and the 1978 Protocol to that Convention, the 1974 Safety of Life at Sea Convention, and the 1985 treaty with Canada on Pacific Salmon.

All these treaties have technical annexes which cover things like the levels of discharge of pollutants into the sea, the manner in which ships are to be constructed to minimize discharges, the levels of permitted catches, that sort of thing. These technical provisions need to be amended rapidly and without going through formal ratification proceedings.

The INF procedure is similar, and it applies only with respect to technical changes of matters in the protocols, and they are matters in which I am sure the Senate would not want to have to go through formal ratification proceedings.

Senator WIRTH. Is there anything else you wanted to add on this, Ambassador Glitman?

Ambassador GLITMAN. I think again, this is an area where there has to be close cooperation between the legislative and executive branches as we proceed with this.

Senator WIRTH. And one of the ways to do that is to make sure we have a clear understanding or as clear as possible going in. We will attempt to write in the committee report our understanding of what is meant by that. And I would expect to get your reaction to that as well as another step toward the kind of cooperation you are talking about, to make sure that there is as complete an understanding as possible.

Ambassador GLITMAN. Agreed.

Senator WIRTH. Mr. Ambassador, thank you very much.

Thank you, Mr. Chairman.

Senator EXON. It seems to me that the good news is that we have finished the treaty itself, and we have two remaining matters: the memorandum of understanding and the protocol of elimination.

And I have some questions on the protocol. I would ask at this time, are there any members of the committee that have any questions at all regarding the memorandum of understanding?

[No response.]

Senator EXON. If not, we will then move on to the protocol of elimination. I have some questions that I want to ask, particularly in regard to the Pershing in this area, and so I will start out under my 6 minutes.

Mr. Ambassador, does the INF Treaty place any limits on the German Pershing I-A missiles?

Ambassador GLITMAN. No, it does not, Senator.

Senator EXON. What is the definition of the term "re-entry vehicles," which is used for the first time in the treaty in this paragraph? How does that term differ from the term "front section," or is there a difference?

Ambassador GLITMAN. The re-entry vehicle is that portion of a ballistic missile which re-enters the atmosphere and contains the nuclear warhead device. Front section is a broader term necessary to cover such cases as cruise missiles, which have no re-entry vehicles, and SS-20's, the front sections of which contain three re-entry vehicles.

We had long discussions with the Soviets on this point and we and they agreed on this terminology to deal with the fact that not every system—that the systems were not identical.

Senator EXON. What subcomponents are included in the term "re-entry vehicle"? Does this paragraph mean that the nuclear warhead device's instrumentation compartments and guidance elements may be eliminated once the re-entry vehicles are withdrawn?

Ambassador GLITMAN. What it means essentially is that the nuclear warhead devices and the guidance mechanisms can be removed, may be removed from the re-entry vehicles or the front ends, and the parties will then dispose of them as they see fit.

We do have some models, if you would like us to work through them, and charts.

Senator EXON. I do not think that is particularly necessary, unless you think, General, that that would be particularly helpful.

Let me get into this matter of re-entry vehicles a little bit further, then, so that we have an understanding. If re-entry vehicles for U.S. NATO allies and their missile systems other than the FRG PI-As and such things as the Dutch, Belgian, FRG Lance missiles, were by unilateral decision released from existing programs of cooperation with those countries, would the United States have to remove and eliminate them as well?

Ambassador GLITMAN. No. The Lance is not covered by the treaty, and our allies have no other missiles for which the United States re-entry vehicles would be subject to the treaty.

The only one that is there is the Pershing I-A, which is not covered by the treaty.

Senator EXON. Well, what part of this paragraph or section specifically limits this application exclusively to the FRG PI-A? Or do you think the wording generally covers that?

Ambassador GLITMAN. This program of cooperation is the only one we have involving INF re-entry vehicles. And so by its very nature it is the only one.

Senator EXON. Are there any Soviet re-entry vehicles subject to the terms of this paragraph? For example, Soviet re-entry vehicles for something that might have to do with the Warsaw Pact and non-Soviet Scud missiles? They are covered, I presume?

Ambassador GLITMAN. No, Scuds are not covered by this treaty. They do not fall within the range ban, for one thing. And other Warsaw Pact countries have no missiles for which the Soviets hold re-entry vehicles subject to this treaty.

This gets to Senator Levin's point: Are there any secret treaties? And we are not aware of any, and they have not sought to suggest there were.

Senator **Exon**. My time is up. Senator Warner.

Senator **Warner**. Thank you very much.

I thought I would defer to our colleague who has just joined us.

Senator **Exon**. Senator Thurmond, we are delighted to have you with us. Proceed with any questions that you have at this time.

Senator **Thurmond**. Mr. Ambassador, we are glad to have you with us.

Taking up where he left off there, should this paragraph be read as applying only to re-entry vehicles released during the last 15 days of the treaty, the elimination period of the treaty? Or does it mean that any such re-entry vehicles which have been released, regardless of the date on which they were released, must be removed during and only during this 15-day period?

Ambassador **Glitman**. The United States re-entry vehicles for the German Pershing I-A's are the only re-entry vehicles that fall under this paragraph. And the paragraph reflects agreement that these re-entry vehicles will be eliminated following a unilateral decision by the Federal Republic of Germany.

Senator **Thurmond**. Are there any Soviet re-entry vehicles subject to the terms of this paragraph? For example, Soviet re-entry vehicles on non-Soviet Scud missiles?

Ambassador **Glitman**. The Scuds are not subject to this treaty. They are not within the range criteria.

The other Warsaw Pact countries have no missiles for which the Soviets hold re-entry vehicles subject to this treaty.

Senator **Thurmond**. As I understand, you favor the treaty and feel it is in the best interest of the United States?

Ambassador **Glitman**. Yes, I do.

Senator **Thurmond**. Thank you, Mr. Chairman.

Senator **Exon**. Senator Wirth.

Senator **Wirth**. Thank you, Mr. Chairman. Ambassador Glitman, you explained briefly yesterday why the Special Verification Commission was set up, why we did not use the existing machinery of the Standing Consultative Commission, and what the difference between the two is.

Could you give me a brief answer to why we are setting up an SVC, rather than using the existing machinery?

Ambassador **Glitman**. Yes. There was a sense in the administration that the SCC could be improved upon, at least so far as this treaty was concerned, and therefore we sought to find an arrangement which would permit more of an ad hoc approach to dealing with the problems, rather than having meetings set at a regular interval and becoming somewhat routinized.

We also wanted to have flexibility with regard to the level at which we dealt with an issue, and so that, instead of every issue being handled by a Commission right at the beginning, we might try to deal with some of them at a lower level, at a technical level, and see if we could not resolve them in that way.

If we were not satisfied or did not find the resolution that we sought, we could then raise the level of participation. And we hope that with that degree of flexibility, we will be able to deal with the problems, the compliance problems, in a more effective way.

Senator **Wirth**. Would it be fair to say also that going to a new group like the SVC avoids some of the political baggage that might come across with the misunderstandings of the past or whatever that have come with the SVC?

Ambassador **Glitman**. And I think that is also a very good point. You sort of start afresh and try to work with this treaty.

Senator **Wirth**. You do not get this one tangled up?

Ambassador **Glitman**. You do not get it tangled up with the arguments that existed in the past.

Senator **Wirth**. Is it your feeling that this may be a model for what we might use in START or what we might use in talks coming out of Vienna? Or is it premature to point at that?

Ambassador **Glitman**. I think it is probably premature. But one would have to say that, at least insofar as this administration was concerned, that was the approach that we took with this treaty, and it might have some implications for how we would approach futures.

But I had better leave that to those that are negotiating the START and the conventional talks to work that out.

Senator **Wirth**. Later we are going to get to the protocols on inspections, which I am curious about as it relates to Stockholm, and what we have learned from that and what we might be doing in the future in terms of more aggressive efforts on inspection. And I guess we call it transparency, is that right?

But I will hold off on that. Thank you, Mr. Chairman.

Senator **Exon**. Thank you.

Senator Quayle.

Senator **Warner**. Mr. Chairman, I wonder if I might regain my recognition and just ask one or two questions? Then I have another committee meeting.

Senator **Exon**. Certainly, if there are no objections. Senator Warner.

Senator **Warner**. I would turn now to the protocol on elimination, section 1. Does this mean that the Soviets are permitted to keep SS–5 silos intact?

Ambassador **Glitman**. The SS–5 silos, as well as the SS–4 silos, have been abandoned for a number of years. There are no missiles deployed in them. The treaty does not require the elimination of the silos.

Our sense is in fact that they have indeed been abandoned. But we do have a separate side letter which will permit us six on-site inspections during the course of the inspection regime, silos of our choice and at a time of our choice, that we can go and look at. So that if our national technical means decides or sees that there is something that has happened—and these again are fixed systems and there is not nearly as much of a problem with them as there is with mobiles—if we see there is some activity at a given silo complex, if we have any questions about it, they know that we have a right to ask for an onsite inspection. And we get six of them, and that we believe will be enough to cover these. Those are for SS–4s.

Senator **Warner**. If there are no more SS–5 missiles, what purposes can these silos serve?

Ambassador GLITMAN. Well, I think the Soviets have said that they have used them sometimes for agricultural storage and so on. Our sense is that the real problem they had was the expense. It was easier just to leave them lie there and weld them shut than to go through anything else, other procedures with them.

Senator WARNER. Are these silos part of the system prohibited by article I?

Ambassador GLITMAN. No, they are not.

Senator WARNER. I am now going to refer to the message from the President of the United States to the Congress, page 385. Do you have this document?

Ambassador GLITMAN. Page 385, Senator?

Senator WARNER. Yes.

Ambassador GLITMAN. Yes.

Senator WARNER. This refers to a letter dated December 7, 1987, from Obukov, Ambassador at Large, to the delegation, the U.S.S.R. delegation, in which he refers to the SS-4, but no reference to the SS-5.

Could you help clarify that?

Ambassador GLITMAN. That is correct. We agreed to—we felt that we had more interest, given the fact that the SS-5's had been deactivated so much longer, that our basic interest would be with the SS-4's.

Senator WARNER. Do you think we are fully protected?

Ambassador GLITMAN. I believe we are. Again, this is an area where national technical means can do a very good job, as you are dealing with fixed sites. You can watch the pattern, you can see how they have been abandoned, and so on.

And so we do have a good fix here. They have been abandoned for many years.

Senator WARNER. All right. My last question, it is 108, referring to paragraph 6. Does the right to visual inspection of the contents of the launch canisters include the right to have the contents removed for inspection? Now, I know you have given that answer before in other areas.

Ambassador GLITMAN. I think it would be useful to give it again. It is not always possible. For static firing, the stages will of course be outside the canisters if they choose to use the static firing method.

For explosive demolition, as well as for the launch to destroy, we can look into the canister. And in order to confirm the type of missile, which we are allowed to do, we will probably insist on measuring the contents.

Senator WARNER. All right. Skipping over to question 109, are the means by which an inspector can confirm that a missile stage is not instrumented for data collection especially permitted by the treaty?

Ambassador GLITMAN. The particular means are not explicitly listed, but the paragraph deals with stages that are being burned by static firing and not with launch to destroy.

Visual inspection for electronic connections or devices should be adequate. We will be there on site when that happens, though other means are not prohibited. But we are going to be on site watching, so the inspectors can have a chance to look at the object itself.

Senator WARNER. Mr. Chairman, my time is up. Thank you.

Senator EXON. Thank you, Senator Warner.

Senator Quayle.

Senator QUAYLE. Along the lines of Senator Warner's question, it is my understanding that we in fact did ask the Soviets to eliminate the SS–5 silos. Their response was that they use it for agricultural storage and it would be more expensive for them to physically eliminate them rather than just let them become inoperable.

Is that the way that went?

Ambassador GLITMAN. That is correct, Senator. We did ask for that at one point. Their reaction was as you suggessted.

We checked with our intelligence people as to whether this was the situation. We believe that with the ability to monitor—and we have got this additional right for the SS–4s—the history of the fact that those missiles have been out of production for years, and the silos have been abandoned, many of them for several years, more than several years, that there was not a problem here.

Senator QUAYLE. Do we have any evidence to show that they use this for agricultural storage?

Ambassador GLITMAN. I am not sure we do. We have, obviously, evidence to show that they are not being used for military purposes. Whether they store in underground silos seems strange to me.

Senator QUAYLE. I had not heard that, either, and that is why I picked up on it. I might tell my farmers. You see, we have a storage problem in Indiana. We grow too much from time to time, and maybe that would be one way we might want to look at the MX missile. [Laughter.]

When we get rid of the MX missile, then we will have a storage capacity. I had not really thought of that.

Ambassador GLITMAN. We do have some evidence they are used for civilian purposes. Whether it is strictly agricultural or not, I do not know. But the main point is, are they being used for military purposes.

Senator QUAYLE. We use the word that says—I guess it is section 1 here, paragraph 5: "For both parties, all front sections of deployed intermediate range and shorter range missiles shall be subject to elimination."

"All front sections," what does that mean?

Ambassador GLITMAN. That means the front sections—again, that was a word that we used so that we could deal with the differences in the systems, some of which have re-entry vehicles, some of which do not. And so on this model here—maybe this chart will open up. I think it is a blowup of the one that I had in black and white.

And he has got it there.

Senator QUAYLE. That is defined as front section?

General PARTLOW. This is the front section of this missile. It has three parts, and that is where you run into difficulty. This is the re-entry vehicle on the Pershing II.

That is not the case with all of the systems with which we are dealing, and so we came up with a generic term which would capture all of the systems. That would be the front section.

Senator QUAYLE. What would be the front section on the SS–20?

Ambassador GLITMAN. Their front section would look somewhat differently.

Senator QUAYLE. But we have a clear understanding of front section? I did not see it defined in the finding here. That is why I was raising the question. But if you have it understood through the negotiating record——

Ambassador GLITMAN. They turned over to us a very rough sketch, which Senator Evans noted was not very good as an engineering sketch. It was not designed for that. This is a sketch that they gave us to help the group that was working on the elimination procedures understand schematically how their front section would look.

And the re-entry vehicles are these three things here. They fit inside this whole front section.

Senator QUAYLE. So you are satisfied that the information that you have through, I guess, letters of transmittal, not in the memorandum but letters of transmittal, that we understand what the front section of those systems is?

Senator EXON. Senator Quayle, can I interrupt? I believe that the document that the Ambassador just held up probably should be made a part of the record just for clarification, if there is no objection.

Ambassador GLITMAN. None at all, Senator.

[The material referred to was not available at time of printing.]

Senator QUAYLE. That information came through when, that diagram?

Ambassador GLITMAN. This is Mr. Bartek, who lead the working group that dealt with the elimination protocol. It was turned over to us at the table. This is an example of one of the things that happened during this negotiation which was unusual, and that is that they did begin to turn over schematics, and then eventually pictures before the treaty was signed so that we could work together to devise the elimination protocol. That would have been in the fall of 1987, exactly late summer or early fall of 1987, September.

Senator QUAYLE. Is there any place of letters or transmittal or is it in the negotiating record which will actually specifically define what these front sections are?

Ambassador GLITMAN. Yes.

Senator QUAYLE. And where is it? In the negotiating record I would find it?

Mr. BARTEK. Yes, it would be in that day's activities, the day on which they handed us that diagram. We would have a cable in which we described that conversation, their full description and definition of what that front section of the SS–20 was.

Senator QUAYLE. That is in the negotiating record. Thank you. Does the treaty allow the SS–20 related, the multiple-bay garages and support facilities for shorter range missiles to be left intact?

Ambassador GLITMAN. The multi-bay garages will be left intact subject, of course, to the onsite inspection.

Senator QUAYLE. Did we ask for those to be eliminated?

Ambassador **Glitman**. At one point we asked for those to be eliminated.

Senator **Quayle**. Is this a storage facility, agriculture?

Ambassador **Glitman**. No, it is not.

Senator **Quayle**. What was their reason for this?

Ambassador **Glitman**. I am not sure I can get into this in open session, I am afraid.

Senator **Quayle**. I do not want to push you beyond what you feel comfortable doing.

Ambassador **Glitman**. Let me just say that I am comfortable with the outcome.

Senator **Quayle**. All right. Well, we can reserve that for when we have a classified session.

And the second part of that question on support structures for shorter-range missiles, SS-22s and SS-23s.

Ambassador **Glitman**. Same thing there.

Senator **Quayle**. Do you want to get into that in classified, is there a reason for not going along with our request?

Ambassador **Glitman**. I think I could say that there was a basic set of tradeoffs that took place in which we received certain things that we wanted, for example, the environmental shelters for the Pershing missiles which are capable of, in fact, taking a missile and a launcher, they wanted them destroyed or modified. We wanted them left—we were prepared to modify them but not destroy. Those in fact are free. They are not going to be taken down.

The GLCM hardened shelters will not be modified or destroyed. They will not be taken down. The engines for the cruise missiles which they wanted to see destroyed will not be destroyed. The rocket motors at the end of the cruise missiles will not be destroyed.

Those are things that we got as part of an overall package, in a sense, on this area.

Senator **Quayle**. And that deals with support structures for the shorter range missiles.

Ambassador **Glitman**. Right, and it also includes the MBGs, multi-bay garages. All of that was done, the sides worked it out. I am confident that we are in good shape on those MBGs myself.

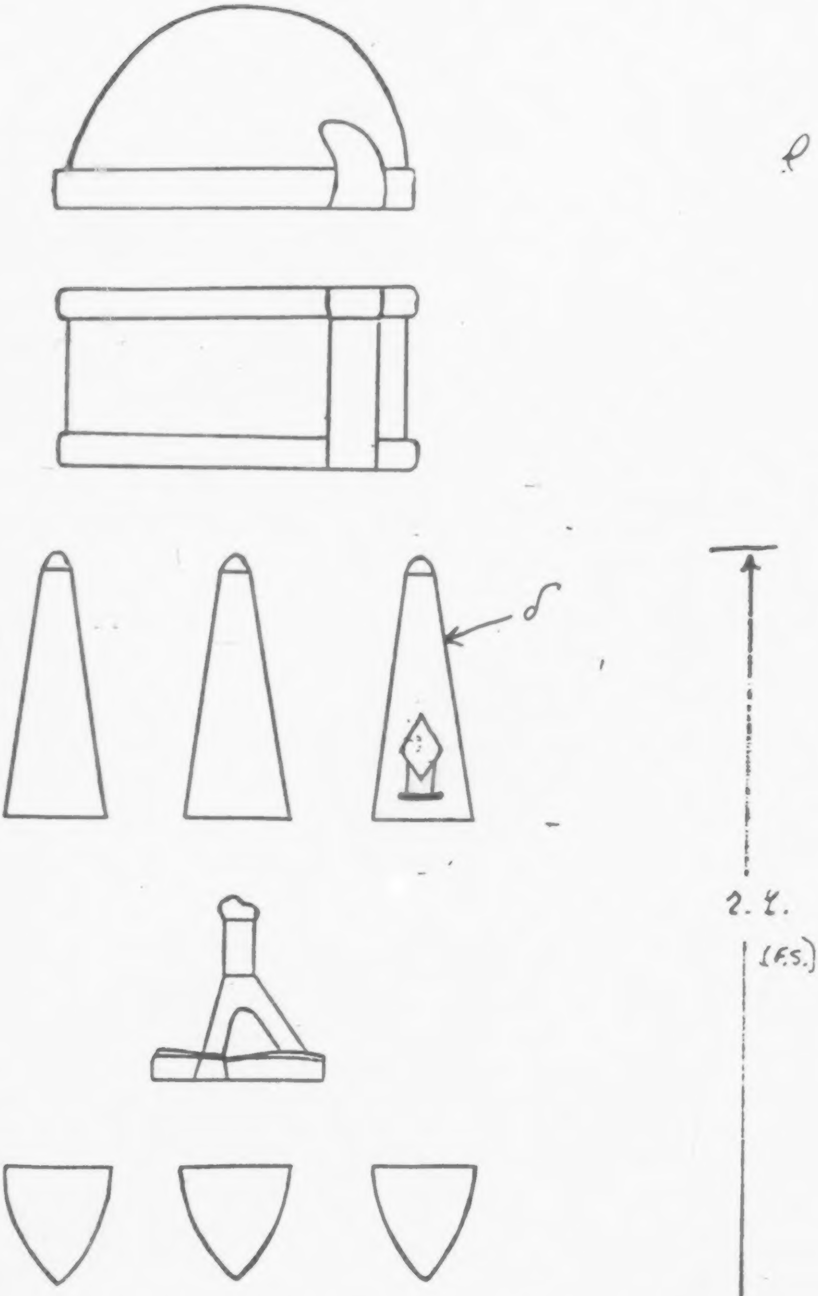
Senator **Quayle**. Well, when we have our closed session we can explore it.

Ambassador **Glitman**. We can go into it further.

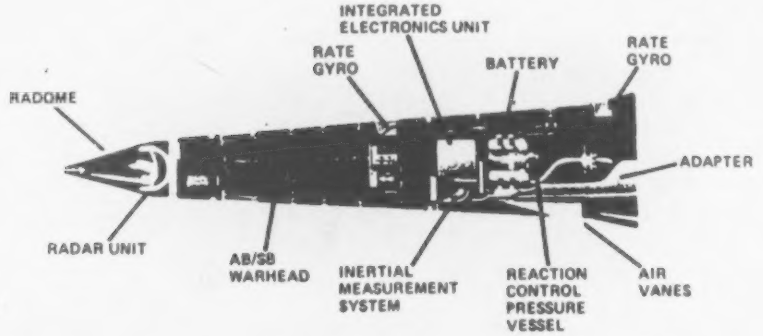
Senator **Exon**. Thank you, Senator Quayle.

For the record and to clarify the record for those who will be reading it, I would like to ask staff to have the State Department provide some photographs and visual presentations that have been made here so that they may be placed in the appropriate part of the record so those who are reviewing it will have some reference point to better understand what we have been talking about.

[The photographs referred to follow:]


ℓ
δ
2.4.
(F.S.)

(U) PERSHING II REENTRY VEHICLE


INTEGRATED ELECTRONICS UNIT
RATE GYRO
BATTERY
RATE GYRO
RADOME
ADAPTER
RADAR UNIT
AB/SB WARHEAD
INERTIAL MEASUREMENT SYSTEM
REACTION CONTROL PRESSURE VESSEL
AIR VANES

Senator EXON. I think we are winding down here now with this hearing, and I am pleased to recognize Senator Wilson.

Senator WILSON. Thank you very much, Mr. Chairman.

Ambassador Glitman, I am sorry that I missed an earlier exchange that you had with Senator Quayle, but because I did, I would appreciate your indulgence in maybe covering some of the same ground again.

He has been, as have other members, interested in the precise meaning of article XIV, and the language itself is brief and seemingly self-explanatory. On the other hand, if it were not restricted in its meaning to those systems that are specifically called out in section 1 of the protocol, for the United States the Pershing II, BGM-109G, the Pershing I-A, the Pershing I-B; for the Union of Soviet Socialist Republics, the SS-20, the SS-4, the SS-5, the SS-CX-4, the SS-12, SS-23; then there would be a concern as to whether or not we might be binding ourselves not to go forward with modernization on other systems where we very definitely desire and feel it necessary to do so.

I gather that it was your response to Senator Quayle that he need not press the point further because in your view the negotiating record makes abundantly clear that the constraints that are placed by the treaty are placed on only those specific weapons that are called out, is that correct?

Ambassador GLITMAN. That is correct, and as I pointed out to him, one has to not only look at the negotiating record, but just look at the SALT II Treaty and see the differences between article XII of that treaty and article XIII of that treaty, and then the difference between article XIV of the INF Treaty and article XII of the SALT II Treaty, article XII of the SALT II Treaty stated "In order to ensure the viability and effectiveness of this treaty, each party undertakes not to circumvent the provisions of this treaty through any other state or states or in any other manner." Article XIII of the SALT II Treaty said "Each party undertakes not to assume any international obligations which would conflict with this treaty," and as I pointed out, that was the opening, the basis for the Soviet effort was to get us to accept both of those, the noncircumvention and then the pacta sunt servanda. I do not speak Latin, but that is the lawyers' phrase for people will follow their treaties language which is in article XIV.

I think there, even beyond the negotiating record, one can see that we succeeded in not getting the kind of prohibitions which one would have found in article XII.

Senator WILSON. Does the negotiating record make explicit reference, as you have here this morning in your response to me, in a comparative way to those other treaty provisions, those from SALT II?

Ambassador GLITMAN. It does, and indeed, it goes even further than that because the Soviets attempted to go further than that in their presentations. The language that they provided for this article initially not only incorporated SALT II language, which I have read to you, but went on to speak of neither—specifying that this would include a prohibition on the transfer of intermediate-range missiles, launchers, components of such missiles or technical documentation related to such missiles or launchers.

That is in the record because that was turned over to us as Soviet language. And obviously when one compares that, SALT II, article 12, with what we have in article XIV, I think a clear case, there is no question about it that the language of that sort is not in article XIV. Therefore, those type of prohibitions which the Soviets sought to get are not included in article XIV.

What we have in article XIV essentially is language which we can find in previous treaties, including the North Atlantic Treaty itself, under which the states, for reasons of their own, chose to say that we will not undertake any new obligations which would conflict with it, and we will comply with it.

So I am quite confident that this record will demonstrate without any question that concerns about using this treaty as a brake on NATO cooperation or as an excuse for accusing us of violating the treaty are not present in this article.

This will not keep the Soviets from talking about their sense of the spirit. They have done so. They will do so. But there is a difference between saying that this is not in keeping with the broad spirit of further arms control, that we should go to zero, for example, and saying you have violated the treaty. They cannot say that we are violating article XIV if, for example, we went ahead with an improved Lance.

Senator WILSON. And because I have not seen yet that specific portion of the negotiating record that relates to article XIV, what you are telling me this morning is that it will make abundantly clear to anyone reading it that although the Soviet negotiators pressed for a far broader application, the U.S. negotiators rejected it.

Ambassador GLITMAN. That is correct, and the final result makes it clear that the rejection was incorporated in the treaty.

As I pointed out, we had no doubts in our mind or the Soviet mind what was at stake here. It was an open discussion that we were not going to let them use this treaty to affect our impact on our work with our NATO allies in areas not prohibited by the treaty. Obviously the treaty would keep us from providing Pershing II's or GLCMs to our allies. That we could not do because we cannot have them ourselves. But it was clear that the Soviets sought to do the opposite. We have succeeded in getting them to our position. As I pointed out, this was one of the last issues resolved in the sense that they tried to provide a Russian meaning for the word "undertakings" which would have been broad in the sense of "actions" or "activities", and it took until December 6 to get that resolved, but that was resolved in our favor, and the word in Russian—there is no question about what the word was going to mean in English, because we told them—the word in Russian is akin to an act such as the Helsinki Final Act, and I used the example of an act of Congress, in other words, a very formal thing rather than the sort of thing they were hoping to get in Russian, which was closer to the word "activities" in English.

Senator WILSON. Thank you, Mr. Ambassador.

Mr. Chairman, my time has expired, but I find this response from Ambassador Glitman remarkably clarifying. I think that what he is indicating is that his testimony here to us today is buttressed by the record. In fact, an exposition of the negotiating record, and of course, having the record ourselves, we will with sufficient leisure to do so be able to go to that portion that he has alluded to and find for ourselves precisely what he has explained this morning.

I think that is a very significant thing because with the record in hand and listening to the representations of the negotiators and other administration officials who are authorized to speak to us, we can clearly determine for ourselves the consistency between the testimony and the record, an opportunity which I must say was not available to those Senators who had before them the responsibility of ratifying the ABM Treaty.

Senator EXON. Thank you very much, Senator Wilson.

I would just remind all that we are going to have the Ambassador back in closed session, and there may be some loose ends that we will want to finish at that time.

I think we are all through except I have one last question to ask on this re-entry vehicle, for clarification of the record, and then I think probably we could thank the Ambassador for the excellent job that he has done for the last day and a half here.

Oh, Senator Wirth has a question.

Let me defer to you, Senator Wirth, and then I will try and wind up.

Senator Wirth.

Senator WIRTH. Thank you, Mr. Chairman, and Ambassador Glitman, I want to join with Senator Wilson again in thanking you for a really good job of clarifying a lot of questions and making a very good record.

I think it is appropriate to spend a little bit of time on the protocol on inspection, the last item here, and I just had a few questions that I wanted to ask you about that.

First of all, what happens if one side or the other disagrees on an inspector, disagrees on an inspection site, disagrees on having an inspection at all? What then transpires?

Ambassador GLITMAN. Well, it becomes a question of compliance with the treaty. There is no right of refusal for an inspection under this treaty.

Senator WIRTH. What if they do not like somebody that we have on an inspection team or they do not like the regime that we have set up for running an inspection, or they say, hey, wait a minute, that is not one of the sites we agreed upon, what happens?

If there is disagreement, who referees? How does a problem like that get resolved?

Ambassador GLITMAN. The question of accepting an inspector is spelled out in the inspection protocol, and fundamentally, we will exchange lists, and you cannot object, per se, to someone on the list, but it points out in the inspection protocol that if somebody has been PNGed or has a criminal record, then that person in fact would not be eligible. So we have not left it open to sort of a vague requirement that you can just tell somebody you are not on. They have got to be able to demonstrate it.

Let me point out that on a lot of the parts of the inspection protocol, and the particular example that you have used now, we have had to work very closely with our allies on so that some of this is going to reflect internal allied legislation because Soviet inspectors will be on allied territory. And for example there, I will not mention which one, one of the countries has a clear legal requirement to say that if someone has been involved in criminal activity—I think the exact wording may be—I do not recall. Mr. Fraley was the man who was head of the working group for the inspection protocol, and I am looking for the language that he will probably find faster than I can—convicted of a criminal activity. Paragraph 7 of section 2.

That spells out the requirements. It says here "In the event the inspected party determines that an inspector or air crew member of the other party has violated the conditions governing inspection activity set forth in this protocol, or has ever committed a criminal offense on the territory of the inspected party, or a basing country, or has been sentenced for commiting a criminal offense, or expelled by the inspected party or a basing country, the inspected party, making such a determination, shall so notify the inspecting party which shall immediately strike the individual from the list."

Well, obviously it would be a mistake to put somebody on that list if you knew——

Senator WIRTH. Is that in there because of some quirk in Soviet law or because of what our allies wanted——

Ambassador GLITMAN. Allied. One of our allies has a law which required that that kind of language be in there. The advantage of it is—I am not complaining about it—the advantage is that, you know, you have got to make sure that the person is, if they are stricken from the list, they have got to be able to say one of these things pertained.

Senator WIRTH. Who referees that? Say, if they have a complaint about that, question 124 is similar. Who will determine what is meant by interference or hampering or delaying or generally being obstreperous in the process? Say tensions rise and we cannot inspect as easily as we did before, who then sits down and gets the hampering or interference or inspectors sorted out?

Ambassador GLITMAN. Well, it becomes a question of compliance, and we can either do it through diplomatic channels or use the SVC. There is no other way to look at it. It is just a compliance issue.

Senator WIRTH. Let me ask you about the breadth of inspection. Initially it was my understanding that there had been discussions in the INF negotiations of a much broader and more intrusive inspection regime than we currently have in the treaty, one, and that second, as we go to START, we will have to have a much more intrusive inspection operation, is that not right, that START will require a much broader one than this?

Ambassador GLITMAN. Yes, and the answer to your question and the basic reason for the difference is that we have a zero in INF, and you are not going to get a zero in START. In other words, in INF you have got the total elimination of the class of systems, and the verification is eased, made more effective by a zero.

Senator WIRTH. In the discussions of how intrusive we would allow the Soviets to be under INF, I suspect that some of our intelligence people or some of our military people said, hey, that is too intrusive. That would be a natural reaction, and we have a record of that, of being very close about this.

Why would those people who would have objected under INF if we get a broader regime under START, be in a position of saying that a more intrusive inspection operation under START would be appropriate?

Ambassador GLITMAN. I think you would have to look at it in the sense of the marginal return of the risk of opening up places for what you would get in return for the other side opening up.

In the case of INF, with a zero situation, given the number of systems involved, relatively small, that marginal return that was not there, in the case of START it may well be there, so that that—I hope that is clear to you.

Senator WIRTH. It is very hard to extrapolate from this to START, as we were trying to do before. I understand that. I just wanted to begin to get an understanding.

Is there any comment that you would like to make on what relationship there is between what we learn and do under INF and what we might do as next steps to Stockholm in discussions in Vienna?

Ambassador GLITMAN. Well, I think certainly the fact that we are going to have this extraordinarily intrusive regime, we tend to forget that because we immediately look ahead to START where it is going to be more difficult, but if you take INF on its own, it is an extraordinarily intrusive regime. That helps set a base, not necessarily the ceiling, but at least the floor for what we would want to get in the way of intrusive inspections in these other areas. And I think from that standpoint it does set a good platform from which we can move up.

I do not see us moving down again, having gotten this in INF.

Senator WIRTH. Would you expect that we would have other specifics coming out in the discussions in Vienna that are building upon Stockholm, or have you had any discussions with people about that?

Ambassador GLITMAN. I have not. I do recall from my own days in MBFR that we were looking at on-site inspection, the need for portals with permanent presence and so on at that point, with the inspectors going to bases and facilities, and I think the INF Treaty helps set a precedent for that type of activity.

Senator WIRTH. Finally, do we have money—we have to have 600 inspectors, is that not right, at least 600 inspectors?

Ambassador GLITMAN. There will be 200 air crew members and then 400 inspectors divided into two groups, the monitors who will be going to Votkinsk, a list of 200 for that, and then the short notice, baseline closeout inspection group, another 200.

Senator WIRTH. Are you confident that we are organizing ourselves properly, do we have the budget to do that, do we have the people to do it, is the organization to accomplish all of this being put together? Is there anything that we ought to do or know about to aid that?

Ambassador GLITMAN. I am not sure about the budgetary side. I can tell you that I spoke to the first class of people that we are training so that the inspectors are being formed, and we have been meeting with them, and they have got a course under way.

Senator WIRTH. Mr. Ambassador, thank you again for a very good couple of days of testimony.

Ambassador GLITMAN. Thank you, Senator.

Senator EXON. Thank you, Senator Wirth.

Let me finish up now, if we can, with the re-entry vehicle issue that I referred to earlier, Mr. Ambassador.

I am quoting from one sentence here from page 155. "During the last 15 days, a party shall withdraw to its national territory reentry vehicles which by unilateral decision have been released from existing programs of cooperation and eliminate them during the same timeframe in accordance with the procedures set forth in this section."

My question here has to do with the Pershing I-A and other systems that might follow on down the line.

Would it not have been clearer—and it is easy to try and rewrite something that has been agreed to and worked out, but would it not have been clearer and what would have been wrong, Mr. Ambassador, to have a change in that sentence by saying, "During the last 15 days, a party shall withdraw to its national territory INF-type system re-entry vehicles," in other words, specifying that it is INF rather than leaving it open to re-entry vehicles?

Ambassador GLITMAN. I think it is clear, Senator. That paragraph begins: "The parties agree that all United States and Soviet intermediate-range and shorter-range missiles and their associated reentry vehicles shall be eliminated" and so on, and I think the context in which we are dealing with INF systems here is quite clear.

I am satisfied the Soviets understand that.

Senator EXON. Well, then just to follow up on that, in your opinion what would be the Soviet response on the consequences of the Kohl government or some succeeding government in deciding not to dismantle its Pershing I-A missiles when the United States and the Soviet Union eliminate their intermediate-range and short-range missiles pursuant to the treaty or to replace them with a modern shorter-range INF missile?

That is what I am getting at. Is that a concern? What would the Soviets' position be should that happen? Do we have a violation of the treaty in such an instance?

Ambassador GLITMAN. I think that that is, again, a very hypothetical question. The reality is that Chancellor Kohl has made a statement on August 26, and he said that with the elimination of United States and Soviet missiles, the Federal Republic will dismantle its Pershing I-A's.

We have talked to the Germans, and it is understood that with that dismantlement the program of cooperation ends. When the program of cooperation ends, those front ends which belong to us become subject to the treaty. That is what this paragraph is saying. We are obliged to eliminate them as we would any other front end.

What happens to the rest of that missile is up to the Federal Republic of Germany.

Senator EXON. Let me just finish, then, by saying it is your intention and your belief as the chief negotiator that in this area where we are talking about reentry vehicles, it specifically refers to INF range reentry vehicles. Is that correct?

Ambassador GLITMAN. That is correct, Senator.

Senator EXON. Are there any further questions from any members of the committee?

Senator Quayle.

Senator QUAYLE. On article XI on the inspection report, it says that for inspections conducted pursuant to paragraphs 3, 4, 5, 7, or 8 of article XI of the treaty during post-inspection procedures, no later than 2 hours after the inspection has been completed the inspection team leader shall provide the in-country escort with a written inspection report in both English and Russian languages.

Was that our idea or theirs?

Ambassador GLITMAN. I think that was mutually agreed. I am not sure whether it came from them or came from us, but our sense is that it allowed sufficent time to do the necessary work.

Senator QUAYLE. If in fact, we do not put in this report something that we feel is noncompliance, are we therefore precluded from bringing it up later on?

Ambassador GLITMAN. No, we can bring it up. It is a factual report. This is what we saw. It goes back to the government, and if the government concludes that what was seen constituted a violation they can take it up as such.

Senator QUAYLE. In other words, there is no discussion of what may or may not be in compliance at this particular inspection? Will these folks not be talking about what would be—as far as the factual report, the facts that you are going to put in there, you want to put facts in that you think that are in fact noncompliance?

Ambassador GLITMAN. They are not going to get involved in the compliance dispute on the spot. Their job is to get the facts down, to see and to write out the facts of the situation.

Then it is up to the governments to decide what they want to do with those facts. If there is a problem or a question of compliance, we have the SVC or diplomatic channels to raise that issue.

In other words, we do not have the right then and there to say that is a violation. The guy can just say what I see in that door looks to me like an SS-20, and he is going to write that down. I saw an SS-20. He is going to have a Soviet standing right there with him.

I am giving you a very hypothetical example, and I do not like to get into hypotheticals, but just to make it clear to you. He is not going to immediately say I hereby accuse you of breaking the treaty. That is not his job. His job is to make a factual description of what he or she saw.[2]

Senator QUAYLE. It is your understanding by this, therefore, that we will capture all the relevant facts of this inspection and it will be put in this report?

In the back of my mind is the problem of if they leave and they are sitting around the table the next day and they say, you know, there was one thing that we left out or there was something else that could have, in fact, been a problem that was not put in there is this 2 hours as you go through sort of a post-brief type of session.

If you do not have it in that report in two hours, it would seem to me to be very difficult to raise it later.

Ambassador GLITMAN. Again, the inspectors are collectors. They are not going to make a judgment.

You are setting up a situation where you are effectively saying the men and women did not do their job. I think they can.

They have 2 hours to finish their report, but they are not prohibited from having a pad and a pencil with them as they go along and taking note of what they saw. Again, they are being trained to do just that sort of thing now.

I think that common sense will show you that people who are out on that job are not going to wait to the very end to get everything done. As they move along they are going to have a sheet of paper with them, and they are going to take notes. Yes, they can have cameras.

Senator QUAYLE. On sections 5 and 6, the inspected party has pretty much control over how the inspection and the flow of events go.

Did we learn anything from the visit that we had with Gomel as far as any kind of interference that we would have from the host country taking our folks where they want to go and on a fairly time-sensitive basis?

Ambassador GLITMAN. I am not familiar with the results of that particular visit. I do know that the visits under the Stockholm agreement seemed to go very well.

But let us not look to the past. We have a new regime here. Gomel was not covered by any inspection protocol. What happens under INF will be covered by an inspection protocol. If we or the Soviets do not follow the inspection protocol, we will have been in violation of compliance. We would have not complied with the treaty, and I think that sets up a very different situation.

---

[2] An exception is the case of an inspector at an elimination site who has the "right to call the attention of the in-country escort to the need for strict compliance" with agreed elimination procedures. (Section VIII, Paragraph 1 of the Protocol on Inspection.)

Senator **Quayle**. I understand we are operating under the new regime. It is a new treaty, and maybe things will be different. I was just trying to anticipate some of the problems that we might be able to look for.

I was just curious if you had any inkling of how efficiently and effectively that this provision is going to be implemented; past conduct, past statements that they have made to you, assurances that Mr. Ambassador, this area is something that we see no problem with.

I am just trying to get a handle on whether this was a potential area of contention or not.

Ambassador **Glitman**. There is always a potential problem in these sorts of areas. That is a fact. You have human beings working with one another.

There are two points to be made here. First, we do have a protocol which spells out the activities and how they are to be conducted. I notice, for example, one of the questions that was asked had to do with hampering or delaying.

The point there was that, in fact, it was clear that the inspector does not raise his hand and say stop that truck. He turns to the escort officer and says will you please stop that truck; it is going out of the gate and it is not supposed to.

We have tried to deal with the sort of situations which could arise in real life problems of that sort.

Second, there is a self-regulating mechanism here. Both sides are engaged in these kind of inspections. I would hope that both sides would operate in a very positive way. Obviously, that is our aim. That should be their aim.

If we get a reinforcing series of activities in which both sides are helpful and open, reasonably open, I think that will regulate in a positive way.

If on the other hand we find activities which we find go to the letter but maybe not the full spirit, to put it in street talk, if they start hassling us they know we can hassle them. So there is a self-regulation mechanism here.

The first inkling we have had of this has already taken place. We have had an initial go-round at Votkinsk, and the report I received was a very positive one.

Senator **Quayle**. These types of reports to get a feel on how we are going to proceed I think are very, very helpful, because we are getting into a new area. This whole on-site inspection and inspection rights are going to be far more important in a START agreement.

Then we have 9F, and we are going to have to expand it. I think that is accepted by both sides and where we are going in START.

That is why I am just trying to get a feel on how you think things are going to be proceeding and what kind of leverage we will have to not only get equilibrium in the process, but if we find things that are going wrong, not to have to run to the verification commission all the time or to have the Minister and Secretary of State get involved but how we can really work these things out on a pragmatic basis.

That is my desire. I think what we have down here is a very positive step forward. The implementation of it is another thing.

When we get into something new, particularly with the Soviets, I think we have to be very guarded to make sure that things go according to Hoyle.

That is why I bring it up. I am just trying to get a feel from you on what you think is going to happen. I think it has been very helpful.

Thank you very much, Mr. Chairman.

Chairman NUNN [presiding]. Are there any other questions? Senator Levin.

Senator LEVIN. I have just one question, Mr. Chairman.

Before I ask it, I just want to express my gratitude not only for your testimony which has been extremely thoughtful and careful but also for the negotiations themselves which I think were also extremely well and professionally executed.

The question of this "anytime anywhere" inspection and as to why we did not seek it has been raised and, I believe, answered. The answer was that our intelligence community did not want us to seek broader on-demand inspections anywhere.

Is that correct?

Ambassador GLITMAN. Not entirely, Senator. The point is that we did at one point seek anytime anyplace inspections. When we went to zero, we concluded that the marginal value of such an inspection weighed against the marginal risk of creating problems for ourselves, given the zero and given the small number of systems involved, was not worth it.

START has a different equation. But, basically, it was the zero. We had said to the Soviets that if we got down to zero that verification would be easier, and it is easier. It is a lot easier because you cannot have a single one of these things, whereas under what we were looking at earlier they might have had some and we would have had some. It is much harder to verify then.

Senator LEVIN. Were they pressing for broader inspection than we agreed to in this treaty?

Ambassador GLITMAN. On occasion, certainly in public. Inside the negotiations, their position was somewhat different. There, we found that they tended to want to delay activity on verification. They were not anxious to get into detailed discussions.

My own sense is, and I told them so, that despite their saying that, for example, they were ready to go inside the factories, that they were not. In the end, when those kind of opportunities presented themselves, it turned out they really were not.

I do think that we are going to face a situation with this current Soviet leadership in which they will endeavor publicly to create an impression that they want more verification than we do, whereas inside the negotiation we will not find that; or they will push to the point where it will reach that marginal value problem that we just talked about.

Senator LEVIN. If, in fact, we have a more intrusive verification regime in START with anytime anyplace inspections, would you recommend that we seek to amend this treaty to incorporate more intrusive provisions?

Ambassador GLITMAN. I would not, Senator. I think for INF we have the verification regime we need. Again, it is effective verification for the zero situation.

Senator **Levin**. Thank you again, Ambassador.

Thank you, Mr. Chairman.

Chairman **Nunn**. Thank you, Senator Levin.

Mr. Ambassador, you have that model there. Before we conclude, I would like to get your people to show us what is destroyed and what remains and describe it for us.

Ambassador **Glitman**. Very well. I think we can have two people come up, General Partlow and Mr. Bartek, who headed up the working group on the elimination protocol.

Senator **Quayle**. Do we have a model of the SS–20 and how that is going to be destroyed as well?

Mr. **Bartek**. No, we do not, but we can use this as a basis.

Senator **Quayle**. I would like to see that, too.

General **Partlow**. I can demonstrate, I believe, Senator Quayle, with this model basically what the differences on the SS–20 would be.

First of all, the missile essentially and, in fact, all of the treaty limited items, come essentially in pieces, if you will. Those are called missile stages. In the case of the Pershing you have the first stage, the second stage and the so-called front section.

You have the first stage, the second stage, and the so-called front section. These are the parts of the missile which will be destroyed. Mr. Bartek will cover the launcher in just a second.

In the case of the stages, the basic procedure is either to——

Chairman **Nunn**. General, why not show us each one of those and tell us what each part is—you say first stage, second stage—pretend we know nothing, which is not always the right assumption. [Laughter.]

General **Partlow**. This is the first stage of the Pershing. By and large, on this treaty on both sides you have multi-stage rockets with a couple of exceptions. This is the first stage, this is the second stage, and this is the so-called front section. I will come back to the front section in just a moment because that is the most complicated aspect of this.

Where the two missile stages are concerned, they are essentially going to be destroyed by burning the propellant out of the inside of it in some fashion and then crushing what remains or destroying what remains.

Now, it is possible to do both of those things simultaneously simply by laying a charge along the top of this thing, exploding the charge, which then effectively destroys the outside and burns up the inside as well.

Is that a sufficient explanation of the two stages? That takes care of the missile by taking care of the two stages.

Now, where the Soviets are concerned, you have to visualize for a moment the SS–20 as an example, this being not the missile or the missile stages but this being the canister. That is for all intents and purposes a can or a shell in which these missile stages find themselves.

Now, the Soviets assemble the SS–20 at their assembly facilities by sliding the missile stages down into this canister. The SS–20 is sensitive enough so that it has to live in this canister with certain kinds of environmental controls applied to it throughout its life.

What the Soviets have told us is that what they will do primarily for destruction of their systems is probably to lay a charge alongside the top of the entire canister and blow the whole thing; that is, they will blow the canister and they will also destroy what is inside in the process.

They, of course, have the same options that we do to remove the missile stages and to burn the missile stages in the same way that we burn the missile stages.

Are there questions on the SS-20, the missile stages?

Senator QUAYLE. On blowing the canister, but that would be attached to the back of—these would be ones that are deployed or reloads?

General PARTLOW. They will take them all to missile elimination facilities to do this, and they will declare elimination facilities. So they will take a deployed missile, presumably, and move it by train. They have little carts that we know to move them around and put them onto train cars, take it to wherever it is supposed to go, and then what will be there will be this canister, the missile stages in a canister.

Senator QUAYLE. I thought we were talking about the way that they were going to possible eliminate would be to cut that off from the back of their truck?

General PARTLOW. You are talking about the launcher. This is the missile.

Back to this as a model now of the SS-20, the whole canister goes on the launcher. The canister is then raised in the air, and then the missile is fired out of the canister.

Senator QUAYLE. They take the whole canister out?

General PARTLOW. That is correct. One of the ways, of course, the Soviets can eliminate missiles is by launching. Both sides can.

Questions on the missile itself?

Now, on the front section——

Mr. BARTEK. I might address the front section since we labored so hard in this vineyard in Geneva.

This is a very good depiction, illustration, of the front section of a Pershing II. In this particular case for this particular missile, the reentry vehicle is identical to the front section. That was not so for other missile systems involved in the treaty; therefore, we had to devise a separate term called front section.

In this case, the front section consists of three components. The first comes off the top. This is the radar element, the radome. There is a radar element inside this particular aspect of the missile.

The second component is what we call the warhead section. It contains what the treaty refers to as the nuclear warhead device. The W-85 is inside there. This particular component is the guidance section of the Pershing II missile.

You fit the three together, which only occurs on the launcher basically, and that gives you the reentry vehicle or the front section.

What we do for this particular front section, as in the others, is remove the guidance packages, the guidance elements from this guidance section and from the radome. We remove those before this missile arrives at the elimination facility.

We remove the nuclear warhead device or the W-85, the nuclear explosive package, from inside this warhead section.

Then that assemblage, what you see here, gets either crushed or flattened.

We remove the guidance elements here and here, the nuclear warhead from hear. What you see, therefore gets crushed or flattened.

General **Partlow**. It is essentially a hollow shell, and that is why, Senator Quayle, before, your questions, although very well taken, are really basically in the warhead section what presents itself at the elimination facility is a hollow shell.

So what is in it at some point in time as far as the treaty is concerned really does not make that much difference.

Mr. **Bartek**. In the case of the ground-launched cruise missile, for example, you do not have any re-entry vehicle. Therefore, the term "front section" refers to that forward portion of the ground-launched cruise missile that contains the nuclear warhead device and the guidance elements, both of which will be removed; that front section will be cut.

Ambassador **Glitman**. Can we move to the launcher now?

Mr. **Bartek**. I think as Ambassador Glitman said yesterday, an important aspect of this launcher, of the launcher elimination procedures to recall is that this particular part of the U.S. launcher, in this case the Pershing II, is not part of the launcher. We were very careful to define the launcher in this treaty so as not to include the prime mover. You can see that this is a cab. It is a M.A.N. 10-ton tractor. It is a truck, and it is not a unique piece of equipment. The Germans produce it. It pulls our Pershing II launcher as well as our GLCM launcher, the same piece of equipment not subject to this treaty.

This truck drives away the launcher.

Ambassador **Glitman**. Let me just add that we wanted very much not to have to destroy that truck so that we could save it and use it for other purposes.

Mr. **Bartek**. And because it is common, this truck drives a lot of things around Europe, not just our Pershing IIs and GLCM launchers, it would have been impossible to devise a treaty—it was certainly not in our interest to devise a treaty that would find this manned 10-ton tractor subject to destruction.

So we very clearly defined the launcher as that vehicle which has the erector launcher mechanisms, and now the thing to remember about the Soviet procedures that we discussed yesterday was that they unfortunately did not have a system that is prime mover and launcher. They have one integrated vehicle. Their SS-20 launcher is one chassis that includes both the truck and the trailer.

From the very beginning, the procedure we recommended and proposed was that we drive this truck away and cut this chassis in half, along with cutting the erector launcher mechanisms in half and cutting them off the chassis.

It became clear fairly early in the negotiation that the Soviets could not do that on a reciprocal basis. They cannot cut their chassis in half and drive the truck away. It is an integrated unit. Were they to cut that chassis at any point that would include an axle, they would have reduced that launcher to a heap of junk, as they put it.

So we very carefully devised procedures that could be followed on a reciprocal basis that would allow both sides to drive away a prime mover while eliminating the launcher. In our case, we decided that cutting this trailer, in this case, it was unique to the Pershing II, we had no other intended purpose for it. It was originally built as a Pershing I-A launcher and converted to a Pershing II launcher. It was cheaper for us to cut it and use it as scrap than to try to devise some special use for a Pershing II launcher trailer.

But in both cases, the working portions of this launcher will be destroyed. These erector launcher mechanisms will first be removed from the chassis, and the mountings on this chassis for these erector launcher mechanisms will be cut away. Each of these erector launcher mechanisms will be cut in half. The leveling supports that you see in the back common to a lot of heavy machinery obviously, which provides the support for the erector launcher mechanism and an erect missile, will be removed from the chassis, cut in half, and their mountings cut off.

Then, in the case of our launchers, we will cut ours in half and use them as scrap. In the Soviet case, they will have to follow each of these procedures, removing their erector launcher mechanisms, cutting them in half, cutting off the mounting bolts everywhere they occur on the launcher, and cutting off the mountings for these leveling supports in the back which you can see in your photographs of the SS-20 in the memorandum of understanding, cut those leveling supports in half, and at that point, cut off the portion of the launcher behind the rear axle that accommodates the very erector launcher mechanism that makes this a launcher. They will cut that off there, and also cut all this stuff in half.

So it was clear to us that by so doing, cutting as much of that trailer off as we could, we would eliminate this vehicle as a launcher because it could not accommodate either the erector launcher mechanism or a missile. It would therefore be too short to accommodate a missile and would forever lack the structural integrity to accommodate this erector launcher mechanism and an erect missile. It could not be welded back or fastened back in any way that would provide you the structural integrity to accommodate that launcher, erector launcher mechanism and an erect missile.

It was a completely reciprocal arrangement under which we drive our truck away, they drive their truck away. The launchers, however, of both sides are eliminated.

Chairman NUNN. I am not quite sure I understood. I thought when you started out you said they could not separate their launcher from their truck.

Mr. BARTEK. That is true. It is one long chassis.

Ambassador GLITMAN. Think of it in terms of we use semi-trailers, and they use a straight body.

Chairman NUNN. Well, how do they drive that truck away, then?

Mr. BARTEK. See, after they follow this procedure of cutting off the tail end of their launcher mechanism, what we have done is preserve the integrity of that vehicle. In other words, you can look at it this way. Their truck includes a short trailer with no erector launcher mechanism capability. Ours you can see does contain somewhat of a trailer on which we keep our equipment box and so forth, but we drive our truck away, we are going to cut the rest of our trailer in half. They have to preserve most of their trailer to have a truck. Basically it is their transmission. The transmission is such that it extends the entire length of the chassis, including the rear axle. So were they to cut anywhere along that chassis other than where we selected, they would end the life of that truck.

Senator **QUAYLE**. Could we have done otherwise, basically eliminate and cut off the launcher part and keep the trailer?

Mr. **BARTEK**. We could have.

Senator **QUAYLE**. We could have. And could we not destroy it that way as long as the launcher was destroyed. Would we have to destroy the trailer?

Mr. **BARTEK**. Well, again, this is a unique piece of equipment for a Pershing II. We checked this very thoroughly at home. Washington told us that there was no foreseen purpose for this Pershing II trailer. It was very old. It was a converted Pershing I–A trailer, and you could see the configuration is not what you would call widely multipurpose.

Senator **QUAYLE**. What multipurpose would the Soviets have for their trailer?

Ambassador **GLITMAN**. Well, it is part of their truck.

Senator **QUAYLE**. But if we would keep the trailer, then that would be part of the truck, too, even though you could drive away from it.

I guess I am just curious of what they find multipurpose in keeping their trailer and we do not.

General **PARTLOW**. Well, first of all, Senator Quayle, theirs is not a trailer. We described it as a trailer. It is part of a single truck. If they do not maintain that bed of a truck, they do not have a truck. We can take this tractor, the same sort of tractor rig that you are used to seeing run up and down the highways, and we can pull any trailer we want to with it. They do not have that option. They never had that option.

The only way they could have an equivalent right was this scheme that Mr. Bartek just went through where you totally precluded its use as a launcher anymore but you still provide them, in effect, with a truck.

Senator **QUAYLE**. And we could have done the same thing?

General **PARTLOW**. We built our trailers in the 1960s. They were upgraded for the Pershing II. They were going to have to be upgraded again because they were falling apart, and the people that make these sorts of judgments said it is just not cost-effective to mess with them anymore; we will just destroy them.

Senator **QUAYLE**. But theirs is a multipurpose and ours is not, in a sense.

Mr. **BARTEK**. Yes.

Senator **QUAYLE**. They built it knowing that.

Ambassador **GLITMAN**. Not necessarily. I think basically their argument was, and they did say this, that in their society they do not have the luxury, as they put it, of chopping something up. What is cost-effective for us is not cost-effective for them. That is what it came down to.

Mr. **Bartek**. And the bottom line is they could not cut their trailer and salvage the truck; to cut their trailer kills their truck.

Senator **Quayle**. Yes, I understand that. It just seems to me that—and I am not that familiar with our trailer, but if we wanted to keep our trailer, you would think it might be used for something.

Ambassador **Glitman**. So did we, but frankly, but—and we could have done it, but the people who know about those things said cut it in half, we do not want to go through this cumbersome procedure because we will not have anything worth keeping afterward.

Senator **Quayle**. Thank you, Mr. Chairman.

Chairman **Nunn**. Mr. Ambassador, thank you. We have gone through about two-thirds of these questions, total number of questions, somewhere in that neighborhood, 60 or 70 percent, and we have gotten, I think, satisfactory answers to those.

We may have to come back and ask you a few follow-ups that need clarification, but we will need to get these other answers in for those that have not been handled here.

We also have already started, and will intensify the look at the negotiating record. I am sure we will need to get you to come back up here once that is completed. I would rather not set a date now, I would rather just work with you, because we do not know when that will occur. I will check with Senator Pell about his timetable for the Foreign Relations Committee.

We will also need to have a closed session at some point with you. I would rather wait until we get the negotiating record so we can have a closed session and do them both at one time.

Senator Quayle, do you have anything else, observations?

Senator **Quayle**. No, Mr. Chairman.

Chairman **Nunn**. We got through quicker than we thought we would. That means you either have good lawyers or we do not have ones that are asking hard enough questions; I am not sure which. [Laughter.]

You have done a good job, and we appreciate it. We will have some follow-up, and we appreciate you and your team being here.

Ambassador **Glitman**. Thank you, Senator.

[Whereupon, at 12:20 p.m., the committee recessed subject to the call of the Chair.]

O